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WHITHER?

OR

THE BRITISH DREYFUS CASE

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THE BRITISH DREYFUS CASE

A Human Fragment of Contemporary History
(1906-1919)

BY

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DEDICATED

with heart-felt sympathy to all who in the great World War have lost those who are dear to them, victims of a system of bureaucracy nationally unsound and internationally unsafe.

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WHITHER?

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CHAPTER I

THE NATIONAL DANGER

"It seems the rule must hold, do what we can,—
Man makes the system, system mars the man."

War has been defined as the extension of diplomacy. Taking an even more comprehensive view, we might say that war is merely a phase in the progress of civilization, a short cut to those higher conditions of life which without it we should only be able to obtain by a more circuitous route.

To say that the great World War will bring vast changes in its train is a platitude which any one, unconsciously harking back to the imitative characteristics of his reputed ancestors, may repeat without much fear of contradiction. It is not given to everyone, however to realize that the roots of many of these prognosticated changes had taken firm hold in the soil of society long before the War was begun.

We must turn to the best account the tendencies which we note in the body politic, and it is in order to help the citizens of the British Empire to read

aright the lessons of the War, and to realize the necessity of making certain changes in their legal and political system of administration, that this book has been written.

Ever since the outburst of the French Revolution in 1789, the tide of Democracy has been slowly but steadily rising. Sometimes it has overflowed the barriers of human toleration, and thus brought upon itself the inevitable remedy of tyrannical repression. Always, phœnix-like, Democracy has risen again from the ashes of reaction. On the whole, the democratic tendency has made for good, though thinking men of all classes of the community are agreed that its virtue is not without alloy. In order to prevent democratic liberty from developing into arbitrary licence, a more efficient system of checks and counter-checks is needed for the increasingly complicated extension of the administrative machine.

Men still fear the majesty of the law, but where the law has no jurisdiction, there is no standard of honour strong enough to compel those whom democracy has foisted into high positions to obey the unwritten law which they have never read, which indeed they have had no opportunity of reading. For many of them the motto of *Noblesse oblige* has no meaning. It is well if they can grasp the significance of the lower standard of commercial honesty. Sometimes they cannot even do that. This statement is applicable alike to the workman who is promoted to be a foreman, the member of the middle class who is placed in control of a Government Department, and the plutocrat who reclines upon the red benches of the House of Lords.

The first step towards curing a disease is the recognition of its existence, the second is its

diagnosis, the third is the application of the suitable remedy. By a fortuitous chain of circumstances I have been placed in a position peculiarly favourable, both objectively and subjectively, to a clear recognition of the national disease, which many others have no doubt also recognised, but of the existence of which the majority of my fellow-citizens are ignorant or only vaguely suspicious. I earnestly hope that this book may help many towards recognition and diagnosis of the insidious growth of the national canker, and thus prepare the way for the application of the remedy.

Far be it from me to deny that there are many honourable public men in England, who strive according to their lights against the obstructions of corruption and dishonesty. Neither these, nor the actively dishonourable, form the majority of our public men, who, whatever their antecedent ideals may have been, have, by process of time and mechanical routine, become content to be passively honourable, to turn a closed eye and a deaf ear to corruption. In other words, they have tacitly recognised the existence of a system. The system and the man are interdependent. The man becomes the victim of the system ; the system remains the product of the man. The existence of this system as a part of our social and political fabric, constitutes a national peril, more dangerous, because less evident, than that physical overthrow with which Germany threatened the British Empire when she launched her forces across the Belgian frontier in August, 1914.

We as a nation have long enjoyed an international reputation for "muddling through." We have even vain-gloriously prided ourselves upon our

ultimate ability to muddle through. True it is that sometimes we have failed, but these instances we would fain forget. Even where we have been successful in the end, at what a cost has success been gained, and what unnecessary sacrifice has it not entailed! Generally the sacrifice demanded has been that of thousands and thousands of human lives, lives of men unknown to history, who have gone nobly to their graves to rectify the inefficiency of those whose foresight should have obviated the necessity for the sacrifice. The system under which our army has been organized and administered is not one calculated to produce great men. Organized and administered by men who have little elementary knowledge of the needs of the Empire, the result could not have been otherwise. Occasionally the army has produced great men in spite of its system. It has produced a Raleigh, whom history honours, but who was decapitated by his grateful sovereign. It has produced a Marlborough. whom history honours, but whom the Government of his day dismissed, degraded, and even imprisoned. It has produced a Wellington, who was left to fight a long and strenuous campaign in a foreign land, ill supported, ill supplied. It has produced a Gordon, who was left to meet a heroic death on the burning sands of Egypt, butchered by the savage horde, victim of the Government's culpable dilatoriness and indifference. These are bright instances, and history tells us they are rare. There are, however, pictures much less pleasing to the mind. Many of these will be supplied by the personal experiences of my readers. They appear almost daily in the columns of the press. It is hardly necessary to recall the picture of Colonel Seely, the then Secretary

of State for War, speaking in the House of Commons upon our military preparedness for which he was responsible, and twirling between his dilettante fingers the closed envelope whose contents, had he, as he said, been able to reveal them, would have at once convinced Members of the readiness of our Expeditionary Force of 166,000 men to leave our shores at a few days' notice equipped in men, horses, and material "down to the last button." In a few months' time the test came. Was the Expeditionary Force ready? Did it sail within a fortnight? The answer to both questions is in the negative. As a compact, fighting Force, it never sailed at all. What did the Government do? It made Colonel Seely, who had never been anything but a Territorial officer, a General with an active command. What did the nation do? Nothing, and wisely so. When the enemy is at the gates is no time for arguing about the internal affairs of the household.

I imagine, reader, that you have already divined the fundamental reason why we were not ready to meet the Germans in August, 1914. It is not that we had no great military genius to lead us to victory. Such geniuses are rare. They must possess a combination of military knowledge and of imagination. Few of our Generals had the former, none the latter, qualification. Imagination, speaking in general terms, is not required by the military profession, which, at its highest standard, aims only at turning out a sufficient number of military mediocrities. On the side of the Entente, no great military genius, except Marshal Foch, has been born of the European War. On the side of the Central European Powers, military genius has fallen just short of perfection, and it is just this shortage that has prevented it from

being genius at all. No, the reason for our unpreparedness is far more fundamental, far more permanent. It is this. That we as a nation have fallen short of the moral standard of real greatness. We have during many years chosen and set up for our leaders men of no high moral standard, men who have feared to take the people into their confidence, men who have played for their own hand and won against their own side, men who have not feared to temporize with truth. We are a smug, self-satisfied people. Unpleasant though the reflection be, it is true. We have been content to let our commerce and our industry pass into more capable hands than ours. All the while we have boasted of an Empire on which the sun never sets, we have boasted of our inherited liberties, we have boasted of the incorruptibility of our public life, we have boasted of our superiority in many mental and moral directions. We have taken this vaunted superiority for current coin of the realm of full value and of full weight. Are we surprised to find after all that it is only a token? We have taken much on trust. The old motto *Noblesse oblige* has lost its meaning for us, and we have not yet found a substitute. The "good old times" were not in all respects good, but no one can conceive that the statesmen of only the last generation, such men as Gladstone and Salisbury, could ever have condescended to deceive the people by a verbal quibble, or by systematic falsehood. Yet of these practices statesmen of to-day stand unblushingly confessed. What are we going to do?

What are we going to do? That is the great question of the future. Are we going to continue to stand by a discredited standard of morality, in the hopes that in the future, as in the past, we may

muddle through ? Or are we going to raise a higher standard of honour, truth, and justice ? From millions of throats comes the answer that we must adopt the latter alternative. Then comes the doubting question, how are we to convert our profession into practice, how are we to get beyond the sphere of moral theory ? This is often a difficult step. It should not be. It is never impossible. Speaking in general terms, we must, if we are to see the regeneration of England, demand from the statesman and Government official the same standard of honour and of moral truth that we now demand from him as a private individual. For this purpose we must continue in the twentieth century the movement which is the key-note of the history of the nineteenth : we must demand for the people an ever increasing extension of democratic power. By a system of equitable representation and a democratically controlled executive more suited for giving immediate effect to its decrees, we must, as a nation, as a great nation, be in a position to dispense without unnecessary delay with the services of those who have deserved ill of the State. We must not only make it easy for ability to rise, we must make it equally easy for incapacity to fall. We must be able in future to place the responsibility for failure and the credit for success upon the shoulders of some named individual, and at the same time we must make it impossible for the tax-salaried official to shelter himself behind the cloak of anonymity. " You cannot fool all the people all the time," said Abraham Lincoln, and he was right. Under our present system, however, a politician or Government official is generally able to fool all the people long enough to establish his claim to a certain notoriety,

if not to fame. Our system of rewards and honours is far too elaborate, far too extended to be of any real value in the eyes of honest and intelligent men. Our system of penalties is far too indulgent to uphold the standard of honour which we must demand. We need not be cruel, we need not even be harsh, but we can and ought to be just, and to be just we must find some other method of treating those who have been false to the trust reposed in them than by asking them to accept *otium cum dignitate* with a pension of some thousands a year for the rest of their natural existence. I speak not here of errors of judgment; these if slight may well be condoned. But I speak of moral infirmity, which should be invariably and ruthlessly condemned.

Is it possible, someone may ask, to obtain the required regeneration of public life without a Revolution? Yes, I answer, I think it is in England. From historical knowledge we know that it has not been possible in America, or in France, or in Japan; from recent experience we know that it has not been possible in Russia, or in Germany. But notwithstanding what history and experience teaches us is necessary in the case of other nations, I still am of opinion that we shall gain regeneration in England without a physical Revolution. Let the people of Great Britain realize that their country is ruled by the official bureaucrat, and they themselves exploited by the unworthy place-hunter, and the remedy will soon be found. Never did the people realize their position more fully than during the recent World War, and, though in greater part they acquiesced in the display of absolute power by the Government official, yet all men who see into the future realized that acquiescence was only for the period of the war.

The diagnosis of the disease has been made, it has been perfected on the bloody battle-fields of France and Flanders, and the people are not going to hesitate to apply the remedy. We want no other examples of the benefits to be derived from democratic control than the progress made by the great Republic of the West, and by our own great self-governing Dominions of the Crown. The people have long enjoyed a full measure of articulation. They are going to use it to obtain a full measure of control. We shall then, as a nation, look for leadership not to men such as those who have carried on that shameless traffic in social honours which has made newly-created nobility to stink in the nostrils of the people, men who have made gold their God, and titles and decorations the crosses on which to crucify their Christ, but we shall turn to men who have been found by the people to be worthy, intellectually and morally, of the trust imposed upon them. To find these men is the problem of the future. We, the nation, have to solve that problem. We must trust our people with the truth. We must give far greater publicity to the public acts of public men, —the men who are paid by us for their services. We must no longer try to persuade ourselves that it is for the public advantage to conceal the ineptitudes and faults of these men. Let them, as all others, stand or fall upon their own merits. Let moderate rewards and honours be open to them,—honours whose significance will be enhanced by their restricted distribution. But let there also be no restriction upon the speedy discovery and instant dismissal of any culprit, of any man who after a fair trial has been found unworthy of his charge.

Broadly speaking, there are four remedies for

a condition of affairs which is impeding the progress of Democracy in more legitimate directions, and the remedies are these :—

(1) A limited extension of the jurisdiction of the law, so that Government officials shall be legally compelled to obey official Regulations.

(2) An extension of the principle of appeal to, and arbitration by, independent bodies, as a check upon the arbitrary exercise of official caprice.

(3) Selection of public men for their moral character as well as for their mental ability.

(4) Increased publicity upon public matters.

One might think that the necessity for these reforms would be pretty evident to the majority of men, but as a matter of fact it is not so, and even those who recognise that some such democratic changes are overdue recognize the fact in a somewhat hazy manner, and are obsessed with the difficulty of obtaining evidence of even one concrete case which would drive home to the mass of the people of this country the imperative urgency of reform. It is the very absence of these democratic measures which renders their introduction difficult, yet without their introduction all our schemes of reconstruction, from which so much is now expected after the War, will be vitiated at their source.

Officials and members of the Government are styled " responsible " with euphemistic invariability, but when we come to analyse this epithet which trips so glibly off the imitative tongue, and to ask ourselves to whom these individuals are responsible, we can find no more satisfactory answer than vague and chaotic murmurings about public opinion and the accepted standards of morality. As long as tax-salaried Government officials can with impunity

and deliberation make untrue statements in their public correspondence, dealing with any and all branches of Imperial administration, and at the same time shelter their personal responsibility behind the cloak of collective anonymity, and as long as Secretaries of State and other members of the Government can with impunity give evasive, equivocal, or incorrect replies to questions put to them across the floor of the Legislative Assembly, it is not within the province of humanity to expect these erring individuals to be parties to the introduction of any measure calculated to make them personally responsible for the truth of their own replies and the accuracy of the statements of their subordinates. Sometimes, it is true, they are pilloried in the Press, more rarely they are dragged squealing before a Court of Law, but far more frequently they have no greater danger to face than the pangs of their own deadened consciences. Even in the rare instances where publicity is given to their actions, they can continue that line of conduct which has already so successfully served their personal purpose, and meet published truth with published falsehood, or fall back upon the worn out shibboleth that further discussion is contrary to the interests of the State—the State being in nearly every such instance a conveniently vague synonym for themselves or their colleagues.

After all we, the nation, pay politicians and Government officials to do their duty, not to refuse to do it, as is so often the case at present. When we can devise and put into practice some simple means of securing that the personnel of our Government, executive and administrative, be composed only of honest men who are capable, and may be trusted, to carry out their duty under all circum-

stances, then we may hope for a decrease in the present enormous number of administrative scandals and "regrettable incidents" which fill the columns of our daily press.

The majority of those regrettable incidents, of which the late War has been so peculiarly fruitful, arise from fear, and often from knowledge, that disclosure may injure the responsible official. We have heard of many, in India, in Mesopotamia, in Salonika, in France. We are awaiting promised inquiries into a few of these, but in the great majority of cases no inquiry is ever held. Generally the incident is never heard of, and the innocent victim suffers.

Regrettable incidents differ not in kind, but only in extension. Sometimes the victim is a single individual, at other times a larger number is involved. When the number of victims becomes very large, the incident assumes national importance, as in the case of serious strikes, riots, revolts, and revolutions. A nation is a collection of individuals, and as a symptom of national feeling the regrettable incident in the case of an individual, or of a few individuals, is as valuable as in the case of a larger body of citizens, and in certain cases it possesses, as a symptom, even a higher value, as it is more definite, better authenticated, and more truly concentrated than when observation is made over a large area, and therefore over an averagely weaker combination.

Having now set forth the impersonal purpose of this book, I proceed to the history of one of those cases of general application, of which there are many thousands similar awaiting solution,—a case which has run the complete gamut of military,

political, and legal publicity, and which has long been known throughout the Press of the Empire as "The British Dreyfus Case." It will serve as a useful sample and measure of our need, exhibiting, as it does, to the British Public in a concrete and very clear form common official methods of procedure.

CHAPTER II

LOOKING BACKWARD

> Once to every man and nation
> Comes the moment to decide
> In the strife of Truth with Falsehood
> For the good or evil side.—*James Russell Lowell.*

I NEVER thought I should begin to write an autobiography, even a fragment of one, as the present is. But circumstances overrule desires, and after consideration I have come to the conclusion that it is a duty which I owe to present and future generations, to put on record the facts disclosed in this book, so that those who come after me may profit by the example, and strive, as I have always striven, to uphold the highest standard of truth, righteousness and justice, not only as a theoretical precept kept stored in the innermost recesses of our brain and brought forth now and then to point a moral or adorn a peroration, but as a real live practical entity governing our daily thoughts and daily actions among the affairs of men. In this way, I am convinced, and in no other way, shall we citizens of a great Empire be worthy of true service to that Empire, and bring back again, if we ever can bring back, the predominance of individual devotion to the State, disinterested and actively true, in foul weather

as well as fair, in the teeth of temporary reverses as well as upon the flood-tide of prosperity. The two forces of evil and of good are ever active in the world, and if this book serves as a sign-post to lead us to throw in our individual lot with the latter, then the record shall not have been made in vain.

The story told is no romantic tale of corruption and persecution such as we are all familiar with in the annals of the Middle Ages—those times which we patronizingly call the Dark Ages—no tale of horror plucked from the dusty shelves of mediæval romance, but a true narrative of the present time, many of the actors in which are still upon the stage, playing their various parts. It is a narrative of which fragments have already been presented to the public in parliament, in the press, upon the public platform, and in the law-courts, but which never before has been published as one conglomerate whole. In the tale, as will be seen, I take a part by force of circumstances rather than by deliberate choice.

I remember some twenty years ago sitting in an over-crowded hall where the penultimate act of a somewhat similar drama was being played.* It was at Rennes, the old capital of Brittany, the centre of the most priest-ridden province of France that the Jew, Alfred Dreyfus, late Captain in the Republican army, since restored to his rank and promoted in the same army and decorated with the Legion of Honour, was then upon his trial before a Court composed of seven officers of equal and superior rank to that which the accused had previously held. It was my good fortune to meet there for the first time the late G. W. Steevens, of *The Daily Mail*, whom in

*For a short account of the French case, *see* Note A at the end of this Chapter.

a few months I was to meet again under different circumstances in South Africa, and who gave up his life as one of the besieged in Ladysmith. By his kindness I was able to secure admission to the hall on three of the concluding days of the celebrated trial, and I was there on the famous occasion when the late Maître Labori made his impassioned appeal to the audience, and called them to witness that whenever evidence favourable to the accused was produced he was prevented by the Court from using it on the ground—the false ground as we know now—of its use being contrary to the public interest. Hot and weary were those September days both inside the Court and outside, where twenty thousand troops patrolled the streets of the old city, where cannon of various calibre commanded all the cross-streets, and people stood outside the Court house in anxious queues waiting for admission from the hour when the Court rose in the evening till the doors were opened the following morning. The Members of the Court had apparently long ago made up their mind as to the guilt of the accused, and seemed to pay little or no heed to the evidence given in his favour, even to the evidence of that gallant and honest gentleman Colonel Picquart, then disgraced, but who lived to become a few years later Minister for War.

I left Rennes on the evening of the last Thursday of the trial and was in Dinard on the following famous Saturday evening when the verdict, which was a false verdict, which I knew at the time was a false verdict—the verdict of "Guilty"—was announced officially, when bonfires of joy were lighted on the surrounding hills,and French ladies danced bacchanalian dances upon the tables of the public Casino.

No one who in 1899 was of an age to appreciate

the real meaning of the judgment will ever forget the throb of indignation that swept through every continent, and the terrible indictments which the press of the United Kingdom hurled at our friends across the Channel.

The verdict was announced on the afternoon of Saturday, the 9th September, 1899, and on Monday, the 11th, every great paper in the United Kingdom devoted its first leader to the theme. "A thrill of horror and of shame," says *The Times* of that date, "ran through the whole civilized world outside of France. . . . The unfortunate prisoner is absolutely and entirely innocent of the charges brought against him." . . . The article goes on to speak of "the forgeries and perjuries with which his enemies have vainly tried to bolster up their case. . . .Dreyfus' chief accusers," *The Times* continues, "were convicted of gross and fraudulent illegalities. . . . The judges . . . have . . . demonstrated the truth of the astounding axiom . . . that 'military justice is not as other justice.'" After calling the trial "the grossest and . . . most appalling prostitution of justice which the world has witnessed in modern times," the *Times* leader-writer says, "A great country . . . has . . . mercilessly trampled justice, honour and truth under foot," and closes his article with these prophetic words, "France cannot close her ears to the voice of the civilized world, for that voice is the voice of history."

Sir Edwin Arnold who penned the leader in *The Daily Telegraph* is even more sweeping in his condemnation. "The honour of the French army," he writes, "consisted in purging it of liars and forgers, . . . not in upholding . . . five War Ministers against truth and justice. . . . This infamous judgment

disgraces France, dishonours her army . . . offends the best principles of humanity. . . . In France there exist no longer, as national qualities, honour, truthfulness and justice."

Column after column of indignant letters from leading men of the day filled the English papers; resolutions of sympathy with Dreyfus, and of contemptuous scorn of his accusers, were passed by Boards, Committees, Associations and Clubs, throughout the length and breadth of the United Kingdom; demonstrations were held in Hyde Park and many of the principal towns; and a number of our leading firms even went so far as to withdraw their intended exhibits from the Paris Exhibition which was to be held there the following year.

I was then spending a short and pleasant period of leave in France in the middle of my professional course at the Staff College, and I sat as a spectator in the crowded Court at Rennes, and listened with admiration to Labori, Demange, and Picquart. I was present unwillingly at the demonstrations of joy when the verdict was announced, and I read these bitter articles in the English press, objectively, with the deepest sympathy for the wronged man and for the country which had wronged him—France. Little did I dream in those happy autumn days that my own country which I loved so dearly, that the army—the profession to which I was devoted—was even then nurturing its Merciers, its Cavaignacs, its Henrys, its Esterhazys and its Du Paty de Clams, and that one day not so very far distant I should be called upon to play in a very similar drama if not the part of Dreyfus, at least somewhat of that hardly less terrible one of the man who was persecuted, aye, almost unto death, by the military caucus for having

stood well nigh alone in his endeavour to obtain justice for the Jew. But in those days, as I say, I little knew what was before me, nor would I have believed it had some prophet told me of it. I should have scorned the very idea of the possibility of any such similar event taking place in public life in England.

The Dreyfus case was one of the greatest exposures of modern times. It displayed the fact that the state of the army of France was entirely rotten, that the chief military advisers of the Government were corrupt charlatans to whom honour was but a word, and who were unscrupulous enough to stop at no act which would encompass the end they had in view, no matter how infamous the act or the object might be.

It sent no fewer than ten Ministers of War* into the limbo of infamous obscurity for having utterly disregarded the truth, and by every nefarious artifice endeavoured one after the other to stifle enquiry, to crush discussion and to prevent the truth from being known. It wrecked five† Governments. It isolated France for years from the comity of nations. Yet in the end truth won through.

For amid all this welter of corruption and dishonesty, amid this vast ocean of organised administrative crime, there were still a few, a very few, who had not bowed the knee to Baal, who loathed injustice as a thing unclean, and held their honour high.

There was Georges Clemenceau, who was loud in his demand for justice. There was Emile Zola,

*Mercier, Zurlinden, Cavaignac, Billot, Cavaignac (bis), Zurlinden (bis), Chanoine, Freycinet, Krantz, and Gallifet. †Those of Dupuy, Ribot, Méline, Brisson, and Dupuy (second time).

the great novelist, who daring greatly, flung in the teeth of the President of the French Republic his celebrated charge. To-day his words "*J'accuse*" stand as a synonym for every great endeavour for the right, every noble effort to obtain justice for those who have unjustly suffered. "*J'accuse*" began a new era for France. The day of secret and cowardly denunciation had passed away, and the sun of courage rose over the horizon.

Then there was the determined President of the Senate, Scheurer-Kestner, who led the political attack as Zola led the journalistic, who sacrificed his career and his life for the cause of truth, and died upon the day it triumphed.

Finally, but by no means least, there was that gallant soldier, that honest gentleman, Colonel Georges Picquart, who risked and lost all that he held most dear, who was hounded to what was hoped would be his death by the very men who should have stood by him in his hour of trial. But through all the persecution Picquart lived, lived to regain his honours and become Minister for War in Clemenceau's regenerated Government. His honour he never lost. But could this tardy restitution atone for the many years of needless suffering he had lived? Picquart is now dead, but his name will live for ever, as the type of a gallant gentleman.

To these few noble men it might well seem a Herculean task to cleanse the Augean Stables of the French War Office, but they swerved not from the path of duty, blocked though they were by every device that organized human ingenuity could present to the brain of the conventional military administrator. But the real reason for the ultimate triumph of truth is to be sought further away than in the

action of the agents employed to accomplish it. The real reason was that the heart of the people was sound : the Democracy rang true. When the people of France learned the facts of the Dreyfus case they recognized the danger to the republic which such men as the chief actors in it were, and thereupon they resolved to sweep out the canaille once for all from those posts for which they had proved themselves so peculiarly unfitted ; they resolved to prefer honour to dishonour, rectitude to crime, and to ensure that the administration of their public departments should be free from corruption. What the people resolved to do, they did. They had one and a half decades in which to put their house in order and prepare for the coming crash, and when it came they were ready for it.

Unfortunately we in England were not so well placed. No Dreyfus case had as yet ruffled the untroubled surface of the military administrative pool. At the close of the century, a few men, it is true, recognized that the democratisation of our army had already commenced, and that oligarchic conditions were no longer applicable to what was gradually but surely becoming a democratic corporation. Some remedies were applied, but the results did not justify the hopes with which the doctors had inaugurated the treatment. With the abolition of the post of Commander-in-Chief in 1904 by the late Mr Arnold Foster the dilution and decentralization of military authority from which so much was expected only transferred the power from the hand of a trained soldier to that of an untrained civilian, ignorant of the needs of the army. In less than two years' time by the strange maelström of fate, the duties of Commander-in-Chief of the Imperial Forces of the

Crown became vested in a Chancery lawyer of phlegmatic temperament, who publicly boasted that he knew not the difference between a battalion and a brigade. The Secretary of State possesses patronage, possesses too the power to appoint the military members of the Army Council and to dismiss them, and hence we see the humiliating spectacle—humiliating for any one who has pride in his country—of four Generals of high rank vying with each other in their eagerness to adopt any plan for the organization and administration of the army which may appeal to the untutored imagination of the Secretary of State for War.

So it happens that we see the same military advisers in the short space of four years advocating a long and a short service army, throwing that over, and advocating an organization by army corps, and again throwing that over and advocating the destruction of the volunteers and the old constitutional force, the County Militia.*

When the Army Council was created in 1904, it was hoped, even expected by some, that any military member of the Council who differed from the Secretary of State or his colleagues on such fundamental

*One of the most recent examples of tergiversation on fundamental principles, with which everyone is familiar, is Sir Ian Hamilton's *volte-face*, on the much discussed question of Voluntary *v.* Compulsory Service. Sir Ian Hamilton, who had ceased to be a Member of the Army Council only a few months previously, published in November, 1910, his book advocating the former system. This was the moment when Lord Haldane, Secretary of State for War, was using all his official efforts to thwart the endeavours of Field Marshal Lord Roberts, who was trying to arouse the country to a sense of its danger, and publicly urging the adoption of some form of compulsory military training. Lord Roberts had been the first to bring into the public eye Sir Ian Hamilton, at a time when the latter was an officer of inferior rank in a marching regiment.

matters as organization or conditions of service would resign as a protest. But these hopes have not been realized. The temptation of the loaves and fishes has proved too strong. During the fifteen years of its existence no resignation for any such reason is known to have taken place among the military members of the Army Council. The official ring is self-interested in not allowing the truth to be known. The ordinary Member of Parliament is quite unable to obtain it, for the lawyer-politician on the Government bench is trained and experienced. The profession of a lawyer is supported by the indiscriminate defence of right and wrong, and should we permanently permit the transference of the sophistry and chicanery of the law-courts to the front benches of our Parliament, I admit that the prospect of England's future is an appalling one. I realized this to the full when I sat in Parliament, and found the blade of truth ever parried by the shield of falsehood and the buckler of evasion, and parried without protest from the bystander. Persistence in such a course must not only lead to the ruin of any nation, which indulges in it, but must produce the eventual triumph of vice. Of neither of these contingencies have I any fear. I believe the heart of the people is sound, I believe their desires are honest. We have not subdued vice, and never shall, but the general standard of honour is higher to-day than it was two thousand years ago, when the great Nazarene preached from the mountain to the men of that and future ages.

But constant regeneration is necessary. We must ever be striving to reach a higher plane, or we shall inevitably find ourselves coming to rest upon a lower one. There must be no separation between

the standards of public and private morality. We must condemn falsehood and deception in the statesman and the Government official as forcibly as we would condemn it in a personal acquaintance; we must even make more marked our contempt for such conduct in the former, who stands in the position of a trustee, than in the latter, who acts for himself alone. What is right for the individual must be right for the nation. From the councils of our rulers we must sweep all petty and self-interested jealousies. We must seek instead those broad-minded views of constructive policy, which are so eminently lacking. The capture of the vote must cease to be the end-all and the be-all of our political life.

France was warned, and learned her lesson in 1899, and so she was ready in 1914. We were not then ready, for our lesson was yet to learn. The following narrative will show how near we were to learning it in 1910. But war is a stern disciplinarian, and its conclusion finds us in more chastened mood, more ready to listen to the voice of truth, and profit by the experience of our own, and others', past.

NOTE A

THE FRENCH DREYFUS CASE

The details of this famous historical case are well known, and need only a slight recapitulation here.

In 1894 Captain Alfred Dreyfus of the French army, while serving on the Staff was accused of a serious military offence of which he was entirely innocent. He was tried by a secret Court Martial and given a life sentence, his conviction being secured by false evidence which was disclosed to those officers who tried him, but which was not shown to the accused, who was deliberately kept in ignorance of its existence. This was done with the knowledge of the Minister for War, and the Chief Officers of the War Office. The punishment was publicly announced and carried into effect, Captain Dreyfus still protesting innocence.

About two years later Colonel Picquart, who was an excellent linguist and was employed in the Intelligence Department of the War Office, obtained proofs of the innocence of Dreyfus, and brought the fact to the notice of the Generals under whom he was serving, who advised him not to take any further steps in the matter. They did not doubt the truth of Colonel Picquart's assertion, but disclosure of the facts would have involved the late Minister for War and themselves. Questions on the subject of Dreyfus were asked in Parliament, but to all the War Minister replied that the case had been rightly decided on its merits at the time, and that he had no intention of re-opening it or holding any further enquiry about it. Colonel Picquart was fully convinced of the innocence of Dreyfus, and, being an honest man and a gentleman, was quite unable to understand the orders given to him by his superior officers. He could do no more than obey.* Meanwhile anonymous articles dealing with the case were appearing from time to time in the public Press, upon which the military authorities did their best to impose silence. They also quietly got Colonel Picquart out of the way, sending him first to the provinces and later on to Tunis, on a dangerous mission to the frontier of Tripoli.

But the resiliency of truth is wonderful, and while the War Office was suppressing it in one place, it kept rising up in another. Gradually M. Scheurer-Kestner, President of the Senate, had begun to entertain doubts as to the guilt of Dreyfus. He had questioned General Billot, the War Minister, who was an old friend of his, and who had assured him that Dreyfus was guilty. He had, however, asked him to accept merely his personal assurance and refused to produce any proof. M. Scheurer-Kestner was not satisfied, and after further enquiries, he became convinced that Dreyfus was innocent. On the 14th July, 1897, a classic date in the history of the French Republic, Scheurer-Kestner openly announced his conviction.† Later in the same year he visited the War Minister and asked for an Inquiry. General Billot's only action was to open a violent press campaign against his old friend. Then followed a series of official enquiries and Courts Martial held by the military authorities under extreme pressure, but so carefully engineered by them as to burke the real issue and throw dust in the eyes of the public.

On the 13th January, 1898, Zola published in *L'Aurore* his celebrated manifesto "*J'Accuse.*" For this he was tried‡ and condemned, though

*"General Gonse said to Picquart: 'What is it to you if the Jew remains on the Devil's Island?' 'But, General,' said Picquart, 'he is innocent.' Gonse replied: 'We can't re-open the case; General Mercier and General Saussier are mixed up in it.' 'But, General,' said Picquart, 'he is innocent.' Gonse shrugged his shoulders: 'That doesn't matter,' he said, 'that is not a consideration which should be taken into account.' Picquart pointed out the danger of hushing up the case. Gonse replied: 'If you say nothing, no one will know.'" *L'Affaire Dreyfus*, by J. Reinach, Vol. II., p. 359.

†I was living in Paris at the time and well remember the sensation his announcement caused. ‡It was at this trial that the War Office declined to produce the papers which would have justified Zola's accusation.

the sentence was afterwards quashed. Zola was again prosecuted. His offer to justify the whole letter was disallowed by the Court, and Zola left France. Eleven days before the opening of Zola's second trial, Cavaignac, who had succeeded Billot as Minister for War, read out to the Chamber of Deputies letters purporting to be the proofs of Dreyfus' guilt, on which the War Office had relied, but which were at once declared by Demange (Dreyfus' Counsel) not to have been disclosed at the Court Martial in 1894. M. Cavaignac was personally interested in proclaiming the guilt of Dreyfus, as he was a cousin of Colonel Du Paty de Clam, who had played an active part in securing Dreyfus' conviction. A few weeks afterwards it became known that these proofs had been forged by a high official at the War Office. Cavaignac resigned, and was succeeded by Zurlinden. Meanwhile Picquart had been removed from the active list of the army, and subjected to every kind of indignity at the hands of the military authorities. At last on the 24th September, 1898, the Cour de Cassation was entrusted with the revision of the Dreyfus Court Martial, whereupon Zurlinden resigned. He was followed in rapid succession by Chanoine, Freycinet, and Krantz.

Then followed the trial at Rennes, the re-affirmation of the unjust conviction and the pardon offered to Dreyfus and accepted under the pressure of his friends and medical adviser.* On accepting it Dreyfus published a letter protesting his innocence, and affirming his resolution never to rest until his honour was re-established. The Government endeavoured to carry out the policy of the sponge, but it was not till 1903 that General André who had succeeded General Gallifet as War Minister undertook an honest examination of all the papers in the case, and, thus fortified, applied for a second revision, which led to the final rehabilitation of Dreyfus and Picquart. The former resumed military service and on the 21st July, 1906, was decorated with the Cross of a Chevalier of the Legion of Honour. In the same month the latter was promoted Major General, and in September Lieut.-General. On the 26th October, 1906, Picquart became Minister for War in the Government of M. Clemenceau.

The French Dreyfus Case will ever remain a *locus classicus* of history. It convinced a considerable body of public opinion in France that it is better for the State to secure the individual a fair trial than to protect the State administration at the expense of justice. It also showed the democracy of France the awful gulf to the edge of which it had been unsuspectingly led by the men to whom it had entrusted its destiny. These valuable lessons of history remain to Europe and to posterity as some recompense for the terrible and unnecessary suffering caused to many of those who played a leading part in the French Dreyfus Case.

*During the latter years of his confinement, Dreyfus was subjected by order of the Government to such intense physical suffering that he nearly lost his reason.

CHAPTER III

(1905)

THE STORM BREWING

There's a divinity that shapes our ends
Rough-hew them as we will.—*Shakespeare.*

I SHALL pass lightly over the events of my boyhood and early manhood, so as not to burden my narrative with immaterial details. Born in Dublin in 1865, I passed my childhood in a pleasant Irish County, going to school at Harrow in 1879. After studying foreign languages I matriculated at Dublin University in 1883, entered Sandhurst in 1885, was commissioned in 1887, and spent most of my service in India and other places abroad. While stationed in South Africa in 1898 I passed into the Staff College, but upon the outbreak of the South African War in the following year I rejoined my regiment the day before we were shut up in Ladysmith. Going through the two years and a half of the war with my regiment, we returned to England and were stationed at Colchester, under the command of Colonel Allenby (now Field Marshal Viscount Allenby). Proceeding by order of the War Office to Japan in 1904 during the Russo-Japanese War I returned to England in 1905, and in May of that year resumed command of my squadron at Aldershot under Colonel

Allenby.* My regiment formed part of the 1st Cavalry Brigade, which was commanded by the late Major-General Scobell, and the Aldershot command was held by Lt.-General Sir John (now Field Marshal Viscount) French. We had an exceedingly pleasant and arduous drill season at Aldershot, concluding it by divisional† cavalry training under General Scobell and Sir John French upon the Berkshire Downs in September of that year. Upon the close of the manœuvres Colonel Allenby accepted command of the 4th Cavalry Brigade, and much to the regret of every officer and man in the regiment left for Colchester in October to take up his new appointment. Before he left he rendered his annual confidential reports upon the officers of the regiment, which were sent to General Scobell, who then rendered them, together with his own reports, to Sir John French, who, after adding his own remarks, rendered them to the War Office.

It is perhaps well to pause here to examine in detail the system under which confidential reports are rendered in the army. The Regulations governing this system have frequently been changed, but for the moment we are interested only in those Regulations which were in force in 1905, 1906 and 1907. These are published in *The King's Regulations for the Army*, 1904 edition, and distinctly lay down that any adverse confidential report upon an officer, shall be shown to that officer, and a copy given to him, before such report is rendered to superior authority. These instructions are so important that a note has to be made upon the report itself to the

*In *Adam v. Ward* (*Official Report* p. 210) Major Adam said: "I was practically on and off commander of a Squadron all the time from 1895 to December, 1906." †Three brigades of nine regiments.

effect that they have been duly carried out. In order that there should be no doubt as to what constitutes an adverse report, an official definition is given, stating that an adverse report is one recording "any fault which affects an officer's character as an officer and a gentleman, or his fitness for his present position, or for promotion to a higher one." Furthermore a reference to the Regulations will show that it is laid down that "similar procedure will be followed in the case of adverse reports other than those made in the annual confidential reports." (*See* p. 45 note).

It will thus be seen that the Regulations safeguard an officer from any unknown attack or criticism upon his character or capacity, and if they had been carried out, even in spirit, by the officers responsible, this narrative would never have been written.

Colonel Allenby's report upon me in October, 1905, was a favourable report; General Scobell's report and Sir John French's were likewise favourable. I have no reason to think that the reports on all the officers in the regiment were not also favourable, in fact without actual knowledge and without having seen any of them, I have very good reason to assume that they were all favourable. As for my own I can speak with absolute certainty, for not only was I assured it was so by the Military Secretary at the War Office in 1912 (*see* p. 107) but I have such a high opinion of the honour, and such a full knowledge of the practice, of Colonel Allenby, that I know he would never for a moment entertain the thought of saying behind an officer's back what he would not say to his face, much less of incorporating in a confidential report to superior authority any suggestion that could in the slightest way prejudice

an officer's career, without reading his remarks out to that officer himself, and giving him a copy of them before he even mentioned them to the Brigadier. In 1905 I had been confidentially reported upon for nineteen years by many different commanding officers, many different generals, and many inspecting officers, and I had never been reported on in other than the most favourable terms.

Before proceeding with an account of the last terrible fourteen years of my life, it may be well to take a recapitulatory glance at it as it was at the moment (October, 1905) of which I am now writing.

I had originally adopted the army as a profession mainly because it was an honourable one. I believed that the word of an officer and a gentleman was as a triple bond of brass. I believed that it was for honour that an officer lived, for honour that he would gladly die. I was devoted to my regiment, and to my brother officers, to the men of my Squadron, to the horses of my Squadron, to my polo ponies, and the healthy out-door life of a cavalry officer, and I drank to the full of the *joie de vivre*. But nevertheless my military ideal was not identical with the one most usually accepted in practice by the army. I loved to think of my profession as that in which a man, either as leader or as led, should go out to fight against the foes of right, and to conquer for the sake of country, of honour and of truth. The years had brought me experience, they had not dimmed my faith or my ideal. I loathed with a great loathing the superficiality, the eye-wash, the low personal intrigue, the petty jealousies, the sordid selfishness, which, whether we care to confess it or not, every soldier, who takes the time and trouble to look below the surface of things, must

admit make up the greater part of modern military life. But these things had not touched me, and I went upon my way with a light heart.

I had at that time to my credit nearly nineteen years of most successful service, spent in Europe, Asia, Africa and America. Being an Irishman I was devoted to my Irish Regiment, where I was spending a most happy life, in which the expression brother-officer was no mere *façon de parler*, for we were as united a body of regimental officers as could be found in the British army, with the exception of a Major Graham who was little known to any of us. Six months previously I had been promoted to Field rank in my regiment, was a graduate of the Staff College, had recently returned from a successful tour of Staff duty in Japan (during the Russo-Japanese War in 1904-5), was an M.A., and University Gold Medallist in Modern Languages, as well as a First Class Military Interpreter in Russian and French. I had studied on the spot, and was well acquainted with the armies and languages of all the chief European Powers. I had devoted my whole life to my profession and to preparation for the European War, which I saw was inevitable. I had, as I have already mentioned, successfully led my Squadron for many years, and recently during the drill season at Aldershot under Major-General Scobell, and through the manœuvres at the large cavalry camp at Churn under Sir John French in 1905, and had just received an excellent annual confidential report from Colonel Allenby, commanding my regiment, from Major-General Scobell, and from Sir John French. No cloud was visible upon the horizon of life, which opened before me a panorama of apparently illimitable possibilities.

But by other hands than mine had the seed of the fatal harvest been already sown. A seer might have already heard the rumblings of the coming storm.

Unfortunately, through circumstances not under my control, I had brought upon my innocent head the ill-will of two General Officers, who play prominent parts in the succeeding narrative, Major-General Scobell and Lieutenant-General Sir William (later Lord) Nicholson.

In the case of the former *c'est la femme que l'on doit chercher*. Some years before the material portion of this narrative opens General Scobell and I, then a Captain in my regiment, had been rivals for the favour of a very beautiful widow, well known in Society, whose charming portrait adorns the walls of one of our public picture-galleries in London. I would have married her had I not later discovered just in time that she was the victim of an incurable habit. It was in this connection that General Scobell, who was then commanding the First Cavalry Brigade at Aldershot, whom I had never seen and with whom I had had no previous correspondence, wrote me to Colchester in November, 1903, an insulting personal letter. I suspected that the judgment of the writer had been perverted by the personal chagrin of the rejected admirer, and let the matter drop, never thinking that in less than two years' time I should happen to come under the command of this officer. General Scobell's original letter is still in my possession, but I refrain from publishing it, as it could not but hurt the feelings of many of the relatives of the lady, who has since died from the effects of that habit to which I have before alluded. I did what I believed at the time was

the best thing to do, namely, decided not to reply to General Scobell's letter ; then forgot all about the incident, and later on in none of my personal dealings with General Scobell did I ever refer to it or let it influence my conduct in any way whatsoever. Resentment is a feeling which I have never entertained, and I hoped that General Scobell was of a like mind. I still honestly believe or at least try to believe, that in all my later official associations with General Scobell, he was not influenced by any recollection of what had happened or what he had written to me some years before. Reviewing all the incidents of the case, and with his old letter of 1903 now lying on the table before me, I can only hope that he had forgotten what I had ceased to remember. It may be that he had, it may be that he had not. No one will ever tell.

The case of Sir William Nicholson was different. It had been my duty in accordance with the King's Regulations for the Army to report the conduct of this officer to the War Office from Japan in 1904. It had been a very unpleasant duty, and I had consulted the British Ambassador at Tokio, who entirely approved of my conduct. As I did my duty and was not told till many years afterwards that this incident which is more fully dealt with in the course of the narrative (see Chap. VI, Note C, *et al.*), was thought to militate against me, there is no occasion to mention it further at this moment.

After the departure of Colonel Allenby the question of the appointment of his successor in command of the 5th Lancers came before the Selection Board. This Board used to meet occasionally at the War Office and appoint officers to commands and staff. The members were the Military Members

of the Army Council, assisted by the Inspectors General and the General Officers Commanding-in-Chief the various Districts of the United Kingdom. In the matter of appointments they honestly do their best, but, according to the system of reporting employed in the army, the data upon which the Members of the Board are asked to come to a decision are hopelessly inadequate for the purpose. The mistakes they make are of course numerous, and it is really a matter of congratulation that chance so often directs a wise appointment. In this instance, however, they went hopelessly astray in their search for an officer fit to command the 5th (Royal Irish) Lancers. Their selection fell upon Major Graham who had reached the position of Second-in-Command of the Regiment, and as this appointment was responsible for everything that happened subsequently to the regiment, and to the individual officers and men who composed it, it may be well to pause here a moment and in the light of ulterior events review the previous record of this officer's service, a record which has already been very fully debated in the law courts and commented upon by a well-known judge of the King's Bench Division.

Major Graham had begun his military career by receiving a commission in the 2nd Battalion, West India Regiment, on the 5th March, 1884. This is a black infantry regiment, with black non-commissioned and white commissioned, officers. Shortly afterwards he was transferred to the 1st Battalion, West India Regiment, and in 1887 he was transferred to the 5th Lancers. He was not popular in the regiment, and the following year, he was seconded for service with the Gold Coast Constabulary or Houssas (black foot police). Without finishing his

tour of seconded service with this force he came back for a few months to the 5th Lancers in 1890, but before that year expired had been persuaded again to seek extra-regimental employment, and entered the Egyptian native army. Here he again failed to complete his tour of service, and returned to the 5th Lancers in 1893. The Army List of February, 1894, shows him again as seconded for some duty outside the regiment. He remained absent from the regiment during 1895 and 1896. At the beginning of 1897 he returned to the 5th Lancers and after a fortnight was sent as Station Staff Officer to Delhi, a post such as is usually held by a subaltern of the native army. At the beginning of 1898 he was appointed to the Staff in Natal. When the Boer War broke out in 1899 he was appointed brigade-major of Lord Dundonald's irregular cavalry brigade, but after a few weeks was sent away by Lord Dundonald, and given purely civil employment in South Africa where he remained till 1904, when he once more came back to the regiment. This was the first year during which Major Graham had ever commanded a squadron, and the result was that in March, 1904, a very few weeks after he took over command, a grave mutiny on two successive days occurred in his squadron* The

*A full and accurate account of this mutiny will be found in the issues of *John Bull* of 9th May and 4th July, 1908, where the sworn testimony of those serving in the regiment at the time is given. An account is also given in *Truth* of 16th December, 1908.

The mutiny was the subject of questions in Parliament. On the 23rd June, 1908, Mr Haldane was questioned upon it in some detail by Mr Roberts, and replied that no report of the mutiny had reached the War Office. "Will you enquire?" asked Mr Roberts. "No, Sir," replied Mr Haldane; "if it (the mutiny) had occurred, it would have been reported." Questioned again in the following December, Mr Haldane stated: "No report of the alleged mutiny has ever reached the War

mutiny was not reported by Major Graham to the commanding officer, who was on leave when it occurred. I was in Japan at the time, but I heard of the mutiny while I was there, and upon my return to the regiment in the following year received a detailed account of it from my brother-officers. At the beginning of 1905, after a few months' leave Major Graham was appointed by sequence on the roster Second-in-Command of the Regiment, a position in which he came little into touch with the men, as a Squadron Leader does, or with the officers, as the Commanding Officer does.

Such was the record of the man who, on the 19th October, 1905, to the consternation of the regiment, took over official command of the 5th Lancers by order of the Selection Board. The change made itself felt almost immediately. Murmurings among the men and non-commissioned officers began to be heard, and these were with difficulty checked by the officers, who gallantly strove to avoid the disaster which, it was evident to all, would sooner or later, in some shape or form, overtake the regiment. It was the new Commanding Officer's custom to pick out some sergeant-major or officer, and hunt him for two or three weeks. During this period everything the victim did was wrong, nothing gave any satisfaction. Even the subaltern officers began to express themselves rather too freely about the Colonel in the Mess, and this I myself stopped on two or three occasions. I was peculiarly fortunate, because for five or six months I succeeded in keeping on apparently quite good terms with Colonel Graham. Then at last my turn came also.

Office, nor have I reason to believe that any such mutiny took place." An official report of the mutiny was sent to the War Office in October, 1907.

CHAPTER IV

(1906-1909)

THE STORM BURSTS

> Keep close to duty. Never mind the future, if only you have peace of conscience. Be what you ought to be ; the rest is God's affair.—*H. F. Amiel.*

At that time (1905-6) there used to be held at Woolwich six-months' instructional courses in saddle-tree making, and men of good conduct who showed an aptitude for this work were selected from cavalry regiments at home to go through the course.

It happened that early in 1906 two men of the 5th Lancers, who had been selected for this special training by Colonel Allenby in 1905, had just returned to the regiment on completion of the course, and, as was usual, they were paraded at the Orderly Room to see the Colonel. One of the men belonged to my squadron. On occasions like this the two squadron leaders attend the Orderly Room, and Major P (now General P) and myself were present. The proceedings were formal. The men were marched in by the Regimental Sergeant Major in front of Lieut-Colonel Graham, who congratulated both of them upon the excellence of their certificates as saddle-tree makers. "It so happens," went on Colonel Graham, "that there is at this moment a vacancy in the regiment for the post of saddle-tree-maker corporal, and I have

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decided to promote to the post whichever of you two men is the senior." It turned out that the man of my squadron, whom I shall call Private X, had the most service, and thereupon the Colonel officially informed him that he would be promoted corporal to fill the vacant post, and that the announcement of his promotion would in due course appear in regimental orders. Private X thanked the Colonel, and both men were marched out. I also thanked the Colonel and withdrew, thinking the matter ended. Outside the Orderly Room I spoke to Private X congratulating him upon his good fortune. The man was very delighted, as he was not only going to be promoted, but would receive a considerable increase of pay as a non-commissioned officer and skilled artificer in saddle-tree-making.

I thought no more of the incident until one evening about three weeks later, while I was dressing for Mess, I saw to my surprise in regimental orders that the other man, whom I shall call Private Z, was appointed to be saddle-tree-maker corporal. At first I thought it must be a mistake, but during dinner I received a note from the Colonel, who being married did not dine in Mess, asking me to come round and see him after dinner. I did so, and Colonel Graham said that I would probably be surprised at the appointment of Private Z to be saddle-tree-maker corporal, but told me that if Private X complained to me and asked to see the commanding officer, I was to refuse his request. Colonel Graham declined to give me any reason for this extraordinarily unjust treatment of the man. I told the Colonel that I considered that he had treated Private X very badly, and that if the man complained to me and asked to see the commanding officer, I should have

no other course open but to do my duty and bring Private X before him. Colonel Graham got very angry, and asked whether I meant to defy him. I replied quietly that it was my duty to see that every man of my squadron had his rights, and Private X had a right to make any complaint through me to his commanding officer.

The next day what I had expected to happen, did happen. The man, brought before me by the Squadron Sergeant Major, said he had a complaint to make, and asked me to take him in front of the commanding officer. I said I would, and at the proper time the man attended the Orderly Room and was marched in before the Colonel. He made his complaint, to which Colonel Graham listened with a very ill grace, finally telling the man that he had changed his mind about the appointment because he found that Private Z had a better conduct sheet than he had. Outside the Orderly Room Private X came to me and said that the Colonel's statement was not true, and asked me to compare the two sheets. Later in the day I did so, and found that Private X had a better record than Private Z. Private X asked to go before the Colonel the next day, when Colonel Graham had to acknowledge that he had made a mistake about the conduct, but said that the reason he had changed his mind about the appointment was that Private Z had a better certificate of education than Private X. Private X came to me outside and said this was not true. At his request I made enquiries and found that Private X had the better certificate of education, and the following day Private X again came before the Colonel to complain. This time Colonel Graham said he would give no reason for his action, but

that the appointment of Private Z should stand, at the same time telling me officially not to bring Private X before him any more. Private X came to me again and asked me to take him before the General, whom he now had a right to see. I was very sorry for the man, but knowing that the General would only back up the Colonel, after a few days I succeeded in persuading Private X to drop the matter, promising to recommend him soon for promotion to corporal in the squadron. The man never got justice. The above incident, which was only one of many similar occurrences in the regiment at that time, illustrates the conduct of Colonel Graham, and his general capacity for administration. Many months afterwards I learned by chance that in 1904 Private X had been Colonel Graham's personal servant, and for some trifling fault had been sent back by the latter to his ordinary duty. I was in Japan at the time and knew nothing of the matter, but it is quite possible that Colonel Graham thought that I was aware of this fact, when I brought Private X before him.

Shortly after this, the Adjutant, Captain Willcox (now Lt.-Col. Willcox of the 3rd Hussars), who was a great friend of mine, privately advised me to get some extra-regimental employment, "for," he said, "Graham will never forgive you about that saddle-tree-maker corporal, and will do his best to get rid of you." I said I was sorry that this should have annoyed the Colonel, and pointed out to Captain Willcox that I was bound by Army Regulations to see any report upon myself which was sent in, and have the opportunity of forwarding with it my own remarks, and also that Graham had seemed of late to be particularly friendly to me.

Captain Willcox, however, told me not to trust to the Colonel's apparent good-will, and earnestly entreated me to try to get employment outside the regiment, till Graham's period of command should have expired. I said I would when we left Aldershot, but that I particularly liked the work at the big camp, where one had the opportunity of seeing all the latest military inventions tested, and various military experiments being carried out.

Unfortunately soon after this, in May, 1906, I got a serious attack of lumbago, the result of having strained a sinew in my back playing polo in India ten years before. I put myself in the doctor's hands and began a course of light baths. The doctor advised me not to go on parade, but I continued to do so. I had difficulty in mounting and dismounting, but, once in the saddle, nothing prevented me from riding and drilling. Colonel Graham knew all about this, and knew also that I had to go to London three times a week for these baths. He appeared to be very sympathetic and offered to excuse me parades, but I said I would rather go on parade, unless the pain got so bad that I was quite unable to do so. He said that if the regiment were ordered on active service I should be unable to go, and pressed me to remain away from parades temporarily.

On the 18th June, while drilling in the Long Valley, Colonel Graham clubbed the regiment, and all the Squadron leaders came in for a full share of abuse.* Such things had been of daily occurrence

*" On the 18th June, 1906, Lt.-Colonel Graham, while drilling the regiment in the Long Valley (Aldershot) lost his head and his temper, and gave wrong words of command, so that neither Major Adam nor the other Squadron leaders knew what he wanted done." (Sworn evidence at trial of *Adam v. Ward.*)

since Colonel Graham had got command, and no one paid much attention to them. On this day, however, the scene of confusion was witnessed by Sir John French, Commanding-in-Chief at Aldershot, who rode up angrily to ask Colonel Graham the reason of the confusion. It was apparent to all on parade that Colonel Graham in his reply laid the blame upon the Squadron Leaders.

The next morning I received a friendly letter from Colonel Graham, asking me to take over the command of the Reserve Squadron. I saw him on the matter, and he assured me that the arrangement was a temporary one, made for my own benefit, to obviate the necessity of my riding until my back was completely cured.*

At the first interview I had with General Scobell in December, 1906 (*see* p. 51), he told me that Colonel Graham had made a report to him in the previous June. That report, according to what I then learned from General Scobell, was incorrect. Furthermore, at the trial of *Adam v. Ward*, in 1914, it was revealed for the first time that Colonel Graham had in June, 1906, made a report to Sir John French to the effect that he had placed me in command of the Reserve Squadron of the regiment, but it also

*In the trial of *Adam v. Ward* (*Off. Rep., p.* 67), MR DUKE to Major Adam: "Did Colonel Graham make a statement to you with regard to that transfer?" MAJOR ADAM: "Yes." MR DUKE: "At the time of the transfer?" MAJOR ADAM: "Yes." MR DUKE: "Do you remember what that statement was?" MAJOR ADAM: "Yes." MR DUKE: "What was it?" MAJOR ADAM: "It was that on account of my difficulty in mounting a horse he thought I had better not go on parade for some months; I had a difficulty in mounting my horse, but when I got in the saddle I was all right." MR DUKE: "What was the cause of the difficulty; was it temporary or permanent?" MAJOR ADAM: "A temporary one." MR DUKE: "You say the difficulty was from a transitory cause; what was it?" MAJOR ADAM: "A strained sinew in my back."

became clear from Sir John French's own evidence that he heard of my strained back for the first time at the trial. As Colonel Graham, in submitting his report to Sir John French, would have had to give some reason for his action in relegating me to the command of the Reserve Squadron, it must be evident that the reason was one adverse to myself, and was doubtless couched in much the same language as the report made by him to General Scobell just referred to. In fact, although General Scobell did not tell me so, it is more than probable that it was he who gave Sir John French the verbal report which he had received from Colonel Graham, and which, as stated, was incorrect. These secret verbal reports are irregular and subversive of all order. Until I heard the fact at the trial in 1914, I never suspected that any report at all had been made in June to Sir John French by Colonel Graham, or by Major-General Scobell.

I took over temporary command of the Reserve Squadron, and things went on in their ordinary course. October came, when it would be necessary for the commanding officer to render his annual confidential reports upon the officers under his command. The procedure to be observed has been already given in detail. (*See* pp. 28, 29.)

The reports had to be rendered early in October, and I well remember, while some of us were chatting over the ante-room fire after Mess one evening towards the end of the month, one of the senior captains (who lately gave up command of the regiment) saying: "Well, after all, no matter how the Colonel may abuse us to our faces, he hasn't sent in any bad reports on us, or we should have heard of it before now." This was the general opinion of

all the officers; which only shows how very little any of us understood either Colonel Graham or Major-General Scobell.

On the morning of the 11th November, 1906, an orderly handed me an envelope marked "Confidential" which upon opening I found to contain a memorandum from the headquarter office. I read it very carefully. It was a short document, typewritten on blue paper, addressed to me. This memorandum was the first intimation I received that any record or report had been made of any fault having been found with me by any one in any way whatsoever.* It was sent to me some five weeks after the reports of Colonel Graham and General Scobell had been received and considered, and in fact the memorandum stated that General Scobell's report (which, with Colonel Graham's report, I should have seen before they were rendered) was the cause of its being addressed to me. The wording of the memorandum was in substance as

* *See* the trial of *Adam v. Ward* (*Off. Rep., p.* 67)—MR DUKE: "Down to, first of all, the 11th November, 1906, did any officer of any rank, find any fault with your performance of your regimental duties, or with your conduct either as an officer or as a man?" MAJOR ADAM: "No." MR DUKE: "On the 11th November, did the adjutant of the regiment produce to you a memorandum from the office of the General Officer Commanding-in-Chief?" MAJOR ADAM: "He sent it round to me by a corporal." MR JUSTICE DARLING: "It was closed, the corporal did not know what was in it?" MAJOR ADAM: "No." MR JUSTICE DARLING: "What was in the report?" MAJOR ADAM: "It was a memorandum from the head-quarter office." MR DUKE: "Did it notify you that on account of an unfavourable report rendered upon you by the officer commanding the brigade, he would be unable to recommend you for promotion?" MAJOR ADAM: "Yes, those were General French's words; that is, to the best of my recollection." MR DUKE: "That was the effect of it?" MAJOR ADAM: "Yes." MR DUKE: "I call for the document." (Conversation between Mr Duke and Sir John Simon). MR DUKE: "I am told that it is not produced as it cannot be found." (Sensation in Court.)

follows :—" Owing to an unfavourable Report upon Major W. A. Adam, 5th Lancers, rendered by the General Officer Commanding the 1st Cavalry Brigade, the General Officer Commanding-in-Chief, Aldershot, regrets that he will be unable to recommend that officer for promotion."

(*Signed*)

After careful perusal of the memorandum, the four following points were clear :—

(1) General Scobell had omitted to comply with the King's Regulations.*

(2) There was no intimation whatever in the memorandum that any report on the subject had been, or was going to be, rendered to the War Office.

(3) As I had only been promoted to the rank of Major in the previous year (19th February, 1905), some years probably must elapse before I needed to think of further promotion or the necessity of any recommendation for it.

(4) As my regiment had then been more than two years at Aldershot, and would probably be

*" When the officer who, in accordance with para. 203, first renders the report, considers it necessary to record any fault which affects an officer's character as an officer or a gentleman, or his fitness for his present position, or for promotion to a higher one, the particulars of the adverse report are, when practicable, to be read to him and a copy handed to him by the general commanding the brigade or other officer to whom the report is rendered, who shall at the same time communicate any points which may have come under his observation. If the officer unfavourably reported on is not present at the time of the inspection, the above particulars are to be communicated to him by letter. A note will be made on the report that these instructions have been duly attended to, or an explanation furnished when they have not been carried out. If the result of the report is considered by the Army Council to prejudice the officer's chances of further promotion, he will be so informed. Similar procedure will be followed in the case of adverse reports other than those made in the annual confidential reports."—The *King's Regulations for the Army*, 1904, para. 214.)

leaving that station (as it did) the following year, it was practically impossible that the General Officer Commanding-in-Chief at Aldershot would ever be asked to recommend me for promotion.

I concluded therefore that there was no great need of haste in dealing with the situation. There was a note by the Adjutant upon the envelope, asking me to return the document to the bearer, which I did without taking an exact copy, for of course I had no idea then that this memorandum was the commencement of a case which would last for many years, and occupy the time of both Parliament and the Law Courts. After some consideration I decided that the best course for me to pursue was to submit an official application to the commanding officer, asking to see his and the Brigadier's reports, at the same time pointing out that the *King's Regulations* (1904), para 214, had not been complied with.

I wrote out my official application, which I took (11th November, 1906) to the Orderly Room, attaching it to the memorandum of the General Officer Commanding-in-Chief, Aldershot Command.* In this application I referred to the memorandum as "the attached report," meaning thereby the report of Sir John French to me. Had it ever occurred to me that my use of the word "report" as a more

*For the same reason that I kept no copy of the memorandum, I kept no copy of my application. The original has been in possession of the Army Council since 1906, and was produced by them at the trial of *Adam v. Ward* in 1914. If they could produce my application, they could have produced the official memorandum to which the application referred. When this application was produced, it had been attached underneath to a long type-written document. This, it was stated, was a report by Sir John French to the War Office which I have never seen, and of the very existence of which I was first made aware in 1911. (*See* pp. 95, 96 note.)

respectful term than that of "memorandum" would ever have been employed against me for what appears to have been an ulterior purpose, I should have been careful to make the wording of my application clearer. Upon receipt of my application Colonel Graham summoned me to the Orderly Room, and having sent the Adjutant away, he became very friendly and confidential, saying that he thought me a very good officer and telling me that there was really nothing detrimental to me in his report, and that if I would withdraw my application he would make it his especial care that nothing in the report should have any prejudicial effect upon my future career. I asked him to read the memorandum attached to my application, and pointed out to him that there must have been some reason for this communication sent to me by the General Officer Commanding-in-Chief at Aldershot. He then appealed to my feelings, and said that my application would place him in a very unpleasant position. Finally he asked me "as a friend and like a good fellow" not to insist upon his sending on my application. I had very good reasons to mistrust his sudden cordiality and promises, and I told him that I must insist upon my application going forward. Before I left the Orderly Room I saw Colonel Graham write an official minute to the Brigade Major requesting that the report which he had rendered upon me should be returned to him.*

After an interval of three or four weeks, on a date between the 3rd and 6th December, the report

*In *Adam v. Ward* (*Off. Rep.*, *p.* 386), SIR JOHN SIMON: "That second entry which follows Major Adam's (application), is it signed by Colonel Graham?" SIR JOHN FRENCH (looking at the document): "Yes."

came back with an order that a certificate should be attached to the effect that it had been communicated to me. Colonel Graham sent for me to the Orderly Room and showed me the report, which was his own with some additional remarks by General Scobell. Colonel Graham had written in his report that he had placed me in command of the Reserve Squadron, but gave no reason for so doing. This he had evidently left to General Scobell, who had written on the report "His Commanding Officer has given him chance after chance and found him quite impossible."* This statement must have been given verbally by Colonel Graham to General Scobell. It was not an expression of opinion on the part of any one, but was a deliberate mis-statement of fact, made by Colonel Graham, recorded and rendered to superior authority by General Scobell. That it was untrue can be vouched for by every officer, non-commissioned officer and man in the regiment at that time.† I told Colonel Graham that I desired to appeal against this report, which was very unjust and, as I pointed out to him, false not only in spirit but in letter. Again Colonel Graham repeated all the methods of persuasion which he had used some

*See *Truth* of 25th February, 1914. In June, 1912, when Sir William Franklyn showed me (*see* p. 107) what purported to be this report, either the last five words had been deleted and three others ("perhaps too many") substituted for them, or the report had been made out in duplicate with this difference. †According to the sworn evidence at the trial of *Adam v. Ward*, the Sergeant-Major of the Squadron stated: "During the whole time that Major Adam was in command of the Squadron (*i.e.*, considerably over a year), I never once heard Lt.-Colonel Graham find fault with him or the Squadron either directly or indirectly. Had he done so, I could not have helped knowing of it on account of my position. I have twenty years' service, and I have never known a Squadron better instructed or better led than during the time that Major Adam was in command." This statement was endorsed by all the officers of the Squadron.

three weeks previously, but in vain. Before I left the Orderly Room, he had reluctantly promised me that he would "see the Brigadier about it." It was on this occasion that he recorded on the report that it had been shown to me. What happened to my appeal I do not know, but from subsequent correspondence with the War Office I have strong suspicions of its fate.*

Some days before the time at which I at Aldershot was appealing against a false report which I had only just then seen, the Army Council,† in triple violation of the *King's Regulations*,‡ acting upon another report of which I knew nothing, were despatching from London a letter containing an order to give me the *coup de grace*.

This letter, dated the 1st December, ordering me under threat of most dire punishment to resign my commission, was handed to me within a week of my last interview on the subject with Colonel Graham, which has been related above. The letter stated that the Army Council had reached their decision to call upon me to resign my commission "after full consideration of the circumstances of the case." Subsequent War Office letters (*e.g.* those of the 21st March, 1911,§ and of the 2nd October, 1915‖), together with other disclosures and admissions made by the military authorities as time went on, show that nine years later "the circumstances of the case" had not yet become known to

**See* p. 93, *et seq.* †At this time the Secretary of State for War was Mr Haldane, and the four Military Members were Sir Neville Lyttelton, Lt.-General Douglas, Sir William Nicholson, and Sir James Wolfe-Murray. ‡ (1) Unfavourable reports of two successive years were required to justify their action. (*King's Regs.*, 1904, para. 204). (2) The report should have been shown to me. (*King's Regs.*, 1904, para. 214). (3) I should have been previously warned if chance of promotion was affected. (*King's Regs.*, 1904, para. 214.) §*See* p. 94. ‖*See* p. 158.

the Army Council. Reason asks how they could have received "full consideration" nine years previously.

At the trial of *Adam v. Ward*, in 1914, Sir John Simon, the Attorney General, contended that the first two lines of this letter ("With reference to your letter of the 3rd ultimo") informed me of a report made upon me by Sir John French. This is not so. In the first place, no mention is made in the letter of any report, the communication in question being called a letter. In the second place, the Army Council's letter was addressed to Sir John French, not to me. In the third place, if, as the Attorney-General was contending, Sir John French's report had been communicated to me on the 8th November, there would have been no necessity to inform me of it on the 1st December; and in the fourth place, General Scobell's report, which I had seen only a few days before, and whose terms would have justified the allusion made in the first two lines of the War Office letter of the 1st December, would have been rendered through Sir John French, would thus have become Sir John French's report or letter, and would have been referred to as such by the Army Council. In fact a reference to it in any other form would have been highly irregular. I had no suspicion that any other report* except General Scobell's had been rendered, nor had I any grounds for such suspicion.

On the receipt of the Army Council's letter, on or about the 9th December, 1906, recognizing that

*The fact that any report had been rendered by Sir John French is first mentioned on the 21st March, 1911 (*see* p. 95). General Scobell did not know of any such report. He went to the War Office (*see* p. 51) to cancel his own report. He could not have gone there to cancel the report of an officer senior to himself.

some serious error had been committed, I went at once to see General Scobell, and found that he was on leave till that evening. I called again about eight o'clock, and found the General at home. I told him of the order to resign which I had received, and he appeared greatly upset. I believe he was genuinely distressed, and when I upbraided him with having written an unfair and incorrect report and with having sent it in without my knowledge, and told him that I should leave no stone unturned to establish the truth, he became very much alarmed and extremely agitated. For the sake of a man who has passed away from this world, I do not desire to record all the details of this painful interview, though I shall never forget them, but I shall merely say that he asked my forgiveness, and assured me over and over again that he had never intended (*see* Note B at end of this Chapter) or thought for one moment, that anything he had written should have had such a result. Finally, he promised me that he would go to the War Office* the following morning and do all he could to set things right. He asked me to say nothing to anybody on the subject, but to come and see him the following evening at seven o'clock, which I promised to do.

When I called the following evening, I found

*An independent account of General Scobell's visit to the War Office is found in a letter written to me in 1914 by a General who was on the Headquarters' Staff at the War Office in 1906, to congratulate me upon the result of the trial of *Adam v. Ward*. After a graphic account of what he calls "a stormy interview," he says that General Scobell "got very angry and dashed out of the Office, saying he would go and see the Chief of the General Staff—which he did." He closes his letter thus—"Looking back on the interview, I feel sure that Scobell was very much put out at your having been called upon to resign, and never imagined for a moment that his report would have had so untoward a result." Yours sincerely . . . .

the General a changed man, no longer alarmed or distressed. He greeted me smilingly and said that he had had a satisfactory interview with the Chief of the Staff, had taken steps to "ensure that his report should have no deleterious effect upon my career," that the order sent to me to retire would be cancelled, and that I would at once receive a probationary appointment upon the Headquarter General Staff. The General advised me to go on leave pending the notice of my appointment. I thanked him cordially, thinking the whole matter was finally settled in a satisfactory manner. On the 14th December I went on leave. Having heard nothing, and being desirous to play in the annual tennis tournament at Cannes, I wrote to Scobell in January, and on the 14th of that month received his reply confirming the situation. The Army Council's letter, ordering me to take up my appointment is dated the 8th February, 1907, and a few days afterwards I entered upon my duties at the War Office. I was definitely confirmed in my appointment to the General Staff some months later, *viz.*, 3rd August, 1907.

In April of that year General Julian Byng succeeded General Scobell in command of the First Cavalry Brigade at Aldershot, and in May General Scobell was appointed Inspector General of Cavalry on the Staff of H.R.H. the Duke of Connaught, then Inspector General of the Forces.

At the beginning of September I received from Colonel Graham a copy of a report upon myself, which, he said, he was rendering to the Brigadier, First Cavalry Brigade. As I had been already seconded for service on the Staff, and my name therefore was not borne on the strength of my

regiment, Colonel Graham had no right or reason to send in any report at all upon me. I thought at the time it was somewhat strange, but supposed that he remembered what had happened the year before, and wished to be on the safe side this time. The document was a colourless one, and indeed to my mind a meaningless one. It merely stated that I "had been absent from the regiment on the Staff during the past year, and that Colonel Graham had nothing to add to his previous report of 1906," which, written on the same sheet of paper as General Scobell's report of that year, was the one about which the latter had assured me in the previous December that he had "taken steps to ensure that it should have no deleterious effect upon my future career." I sent the copy of the report back to Colonel Graham, as he asked me to, and wrote to him in a friendly way, telling him that I was getting on famously at the War Office, and hoping that he and all were flourishing, etc.*

I little knew what had been happening at Aldershot, though I had begun to hear rumours that all was not well with the regiment. In fact one of my brother-officers in a letter which I had recently received had hinted that he would not be surprised if some of the men were to cut up their saddlery, the time-honoured fashion which, in extreme cases of mutiny, cavalry troops adopt to express their disapproval of authority.† As I had been away

*This report of Colonel Graham's went in the ordinary course of routine to General Byng, who, as I learned from Sir William Franklyn in 1912, wrote officially upon it that he knew nothing of Major Adam, and had never seen him (*See* pp. 107 and 124, Note 2.) †There had been a case of this twelve years before at Aldershot in General Scobell's old regiment in the very Squadron which he, then a Captain, commanded. The matter had been condoned, and Captain Scobell permitted to remain in the Service.

from the regiment for such a long time, I had, however, no personal knowledge of what was going on, nor did I suspect that anything untoward was about to happen, much less that anything was going to happen, or indeed could happen, to me personally.

One morning about the middle of October, 1907, on arriving at the War Office, I found upon my table a small official envelope containing a slip of yellow paper from the Adjutant of my regiment at Aldershot saying that "on account of further unfavourable reports" the Army Council* had decided to place the five following officers of the 5th Lancers on half pay. Here followed the names of the Major, Second-in-Command, two other Majors (*i.e.*, three Majors out of a total establishment of four) of which I was one, the senior Captain and another Captain of the regiment.

Here again in 1907, as in 1906, no attempt was made by the military authorities to comply with para. 214 of the *King's Regulations*, 1904 (*see* Note on p. 45). At this time I had only heard of two reports, one, the combined report of Colonel Graham and General Scobell in 1906, of which Sir John French had told me, which I had seen upon application two months after it was rendered, which I had at once appealed against, and which a few days later General Scobell had personally led me to believe was finally cancelled; the other, Colonel Graham's colourless report in 1907.

As may be imagined, I was greatly surprised at this extraordinary and illegitimate action of the Army Council, of which I had had no warning,

*At this time the Secretary of State for War was Mr Haldane, and the four Military Members were Sir Neville Lyttelton, Sir Charles Douglas, Sir William Nicholson, Major-General Hadden.

and for which I could divine no reason. I immediately wrote out an official application asking that, in accordance with para. 214 of the *King's Regulations* (*see* Note on p. 45) I might be shown the "unfavourable reports" referred to in the official communication, and also those previous unfavourable reports to which the word "further" applied. I submitted this application officially through my General, Sir Spencer Ewart, the Director of Military Operations, and on the following day I was sent for by the Chief of the General Staff, Sir Neville Lyttelton, with whose private secretary I had a long interview. This officer told me that the Army Council had taken their decision, that they would give no reason for it, and that if I pressed my application (the justice of which he admitted), the only result would be that I should be deprived of my Staff appointment. In view of this attitude of the Army Council, I had no other course left open to me but to consent under protest to the withdrawal of my application, and the private secretary tore it up and put it on the fire. The following day I told Sir Spencer Ewart what I had been forced to do, and he said that being placed on half-pay would make no difference to me as far as he was concerned; that I had four years at the War Office before me; that much might happen in four years; that "once on the Staff always on the Staff" was an old adage of the Service in which there was much truth; that, not being on the list of my regiment to which I might automatically revert in the intervals of Staff service, the military authorities would feel bound to find me continuous employment; and that, if all went well, he would recommend me for promotion when my period upon his Staff expired. As the result of

this interview with my General, I was lulled into a sense of false security, and into the belief that this action of the Army Council, which I recognised as carried out in violation of the *King's Regulations*, would on the whole be beneficial to me. Expecting that it would be recognized that for the sake of my regiment I had consented to waive my right of complaint, I decided to await the blow in silence.

The blow came when, on the 2nd November, 1907, the announcement appeared in the *Gazette* that five of the senior officers of the 5th Lancers had been placed upon half-pay.

As was to be expected, the announcement created a considerable scandal, and was a mystery even to the officers concerned. It did my regiment a great deal of unnecessary harm in the eyes of the public, who naturally resent being kept in the dark upon public matters, especially where injustice to individuals is suspected*.

There was a great outcry in the public Press, and many conjectures, all equally groundless, were put forward. The only paper that on the whole correctly diagnosed the case was *Truth*, which in a series of masterly articles, extending over a period of more than nine years, has exposed the violation of the *King's Regulations* and the injustice which the Army Council committed, and has fixed the blame on those originally responsible, General Scobell

*The announcement caused many unpleasant incidents in the regiment, Colonel Graham being insulted by the officers, and booed by the men. The sworn evidence, independently collected by members of the regiment, amply proves the opinion of the 5th Lancers on the case. Space permits only one example: "I wish to state that I know all the officers who were placed upon half pay, and, in my opinion, they were worthy of their cloth and position. Perhaps the public would be surprised if they knew how one man can ruin a whole regiment and escape the punishment he justly deserves."

and Colonel Graham.* I was visited daily at the War Office by journalists, all wanting to know the reason for this extraordinary action taken by the Army Council. To one and all I truthfully gave the same reply, namely, that I did not know.

In a short time the outcry became so great that the Army Council felt compelled to publish in the Press an official communiqué, which is in its way quite a remarkable document.†Although exceedingly short, it contains one damaging admission, two falsehoods, and confessions of at least two acts of injustice. The admission is contained in the expression "this cavalry regiment," thereby showing that the alleged unsuitability was the personal opinion of one individual Commanding Officer (Colonel Graham). The first falsehood as to the character of the officers was subsequently admitted to be such by Mr Haldane himself in a public official pronouncement. The second falsehood, that the regiment was not inefficient to take the field, was subsequently sworn to be such by the very man, Sir John French, from whom the Army Council had derived the statement upon which their communiqué

*The dates of these articles are 13th and 20th November, 4th, 11th and 18th December, 1907; further articles on the case appeared in the same journal on 4th November and 16th December, 1908; 10th, 17th, and 31st March, 1909; 23rd March, 16th July, and 10th August, 1910; 25th February and 4th March, 1914; 17th March, 1915; and 28th March, 1917.

† THE 5TH LANCERS.

"We are informed by the War Office that the recent action of the Army Council in placing five officers of the 5th (Royal Irish) Lancers on half-pay was not due to any cause detrimental to the character of those officers. Though they were not considered suitable to retain their positions as officers in this cavalry regiment, their services can be, and in three cases are being, utilized in other appointments. The regiment is not inefficient to take the field." (*The Times*, 2nd December, 1907).

was based.* If the cause of the removal was as the Army Council stated, all five officers should in common justice have been offered extra-regimental employment before any penal steps were taken against them. Two were already employed in positions of limited tenure, one was given similar employment, the other two, though equally deserving, received no consideration, either then or since.

Each of my four brother-officers protested both officially and unofficially against their treatment, declaring that the reports were incorrect and illegitimately rendered, the only result being that in one case at any rate, and probably in another, further penal action was taken by the Army Council against the individual who had complained.

The injustice suffered by my four brother-officers will be evident from their correspondence.

Captain W. wrote: "On the 17th December, 1906, I received from a junior officer of the regiment a copy of an undated report by Colonel Graham. I was not then under Colonel Graham's command, as I was serving on the Staff at York, where I had been for nearly a year. Colonel Graham's report was a lie."†

**Adam v. Ward* (*Off. Rep., p.* 394). SIR JOHN FRENCH (on oath): "It was not my opinion that it (the 5th Lancers) was efficient to take the field." MR DUKE: "That was not your opinion?" SIR JOHN FRENCH: "No." †The developments of Captain W's case are instructive. This officer appealed to the King for justice, and by chance the circumstances were published in *The Daily Mail*, whereupon the Army Council deprived Captain W of his Staff appointment. He had previously been deprived of his regiment. On the 14th July, 1910, Mr Haldane, speaking on the case in the House of Commons, said: "The position in which Captain W now finds himself is the direct outcome of his disregard for the regulations of the Army." The sophistry of this statement was easily exposed at the trial of *Adam v. Ward* (*Off. Rep., p.* 50) when Counsel for the Plaintiff showed how a pretended breach of the Regulations committed in January, 1908, could not have had anything to do with the Army Council's action in placing Captain W on half-pay in November, 1907. The Judge concurred.

Captain X wrote: "I did not see the Report or have a copy of it. I received my report of 1907 after applying for it."

Major Y wrote: "I did not get a copy of my confidential report."

Major Z wrote: "In 1906 I heard nothing whatever about my confidential report from either the Colonel or the Brigadier. I never saw what that report said until November or December of 1907, some time after I had been put on half-pay, and while I was struggling to get what I considered justice from the War Office. They merely ignore one's statements, and state that facts occurred which did not, etc."

Notwithstanding all the strenuous efforts of the War Office to hush up the matter, the scandal did not die, and some months later questions began to be asked in the House of Commons, to which Mr Haldane replied in ponderous accents, delivering sententious and carefully worded misleading statements about the matter.*

To me, personally at the time, the announcement in the *Gazette* made no difference, for by the same *Gazette* I was replaced on full pay and continued in my appointment upon the General Staff of the Army.

*A few examples are given: "Full enquiry was made into these cases. It is not considered necessary or advisable to make any further investigations into the matter" (23rd June, 1908): "The whole circumstances have been considered by me personally as well as in consultation, and in my opinion and that of my military advisers it would not be in the interests of the army or the public to," etc., etc. (30th July, 1908): "These adverse reports were in every instance communicated to the officers concerned" (29th October, 1908.). In response to Mr Nield's request for a Court of Inquiry on the case, Mr Haldane replied: "The object of convening a Court of Inquiry is to assist superior officers in eliciting information on any subject of an intricated or disputed nature. In the case in question there are, in the opinion of the Army Council, no grounds for an Inquiry" (29th October, 1908.).

The only thing I did in the matter about this time was to take the precaution to secure, upon what was the best authority, an independent statement of the facts of the case, in so far as they were known. I wrote to the Sergeant Major of the Squadron which I had lately commanded, and asked him if he would care to put what he knew of the matter into writing. He did so and his statement (*see* Note 2 on p. 48) forms a complete refutation of the report rendered by Colonel Graham and General Scobell. I submitted a copy of this document to the officers of my late Squadron, who each corroborated the facts stated, and expressed his willingness to give evidence to that effect at any Court of Inquiry (*see* p. 68) that might be held.

The date of the statement (York, 26th January, 1908) shows that it was written at a time when the violence of the Press agitation had somewhat abated. Neither was I then in a position to bring any personal or official pressure to bear either upon the writer of the statement, or upon any of the officers who had offered to come forward, when called upon, to corroborate the facts stated.

After my abortive attempt, in October, 1907, to obtain justice through the official channel, I made no further protest, but I took the earliest opportunity of placing the true facts of the case before Major-General Cooke, who was our Colonel-in-Chief, and had previously commanded the 17th Lancers. He had had some personal experience of Colonel Graham, and endeavoured, though in vain, to obtain justice for the officers without increased scandal such as further publicity would have caused. An account of General Cooke's action on my own behalf is given later (*see* p. 63.).

Everyone at the War Office was particularly friendly to me, and, as time passed, I came to think that the affair would do me no professional injury, and that the outcry in the Press would lead, if indeed it had not already led, to the fixing of the blame upon those really responsible, Colonel Graham and General Scobell. I was confirmed in this belief by what happened to both these officers shortly afterwards during the drill season of that year, 1908.

In September, 1907, my regiment had been moved to York, and, in 1908, was sent south under command of Colonel Graham to participate in combined Brigade manœuvres, carried out by the 2nd Cavalry Brigade under General Fanshawe, and the 4th Cavalry Brigade under General Allenby, the whole under command of the latter officer. What happened at those manœuvres is common knowledge, for at the close of them General Allenby, with the approval, and in the presence, of General Fanshawe, and before all the assembled officers of the two Cavalry Brigades, in no measured terms censured Lt.-Colonel Graham for his incapacity either to lead the regiment, or to carry out the orders which were given him. In conclusion, General Allenby stated that he would forward to the War Office a report to that effect.

A somewhat similarly painful scene was enacted at the close of the Divisional Cavalry manœuvres held a little later in the same year, when Sir John French, who was Director-in-Chief of the manœuvres, officially censured General Scobell in front of all the cavalry officers of the Division, telling him at the same time that he would forward to the War Office a report to the effect that in his opinion General Scobell was incapable of commanding a Division

and unfitted for his post as Inspector-General of Cavalry. General Scobell immediately resigned his appointment. Thus it came about in both cases that what all officers of the 5th Lancers had known about Colonel Graham, and all officers of the Cavalry Brigade about General Scobell, in 1905, namely, that they were both inefficient, came to the official knowledge of the Army Council for the first time in the autumn of 1908.

Very shortly after this both Colonel Graham and General Scobell were transferred to Africa ; Colonel Graham to Sierra Leone to command a West African regiment of native infantry* ; General Scobell to Cape Town to command troops, consisting of one battalion of infantry and a few garrison gunners.

Unfortunately the departure of Colonel Graham had not been early enough to prevent the resignation of one of the smartest officers of the regiment, who had been transferred to us from the 17th Lancers, when that regiment went to India, and who had succeeded Captain Willcox in the Adjutancy of the 5th. The reason that Colonel Graham took a dislike to him was that he had been a friend of Captain W, and had refused to put the latter officer into Coventry, as Colonel Graham had officially ordered the officers of the regiment to do. When I saw Captain M's resignation in the *Gazette*, I wrote to say how sorry I was, and his reply† shows the state

*Some time afterwards an officer of this West African regiment told me that Colonel Graham made his first year of command memorable by reporting adversely upon seventeen officers of the regiment.

†" MY DEAR ADAM, " 11*th Sept.*, 1908.

" Very many thanks indeed for your letter. Yes, I am out of it. Graham was too much for me, and some one has given me away [Captain M had been seen at a theatre with Captain W.—This was contrary to Colonel Graham's order to put Captain W in Coventry], but I have hopes of finding out who it is. I must try to find a job now," etc., etc.

to which Colonel Graham had brought the regiment.

I had on several previous occasions been recommended for the post of Military Attaché in Paris, as many recognized that my long acquaintance with France and the French Army would stand me in good stead in such a position. Lord Kitchener himself had recommended me for the post in 1901, but his recommendation had arrived too late from South Africa. In 1909 the post was again about to be vacant, and I determined to apply for it. A great friend of mine put my wishes before Mr Haldane, who told him that he saw no obstacle to my appointment, and advised an official application. I sent one in, and felt sure that this time my application would be successful. To my disappointment my request was not considered by the Chief of the General Staff (Sir William Nicholson)* with whom the final recommendation lay. Although actually serving at the War Office, I was unable to discover any reason for this refusal, and Sir Spencer Ewart who had forwarded my application confessed that he too was unable to account for it. I then began to realize for the first time that it was possible that the real facts of the trouble with Colonel Graham and General Scobell were not known to the military authorities, and if that were so, it was possibly a reason for the existence of some prejudice against my appointment.

I put the matter before Major-General Cooke (*see* p. 60) who during the past eighteen months had become one of my warmest friends. He offered at once to see Sir John French and endeavour to have the mystery cleared up. This he did, but all

*On the 2nd April, 1908, Sir William Nicholson had succeeded Sir Neville Lyttelton as Chief of the General Staff

his endeavours either by interview or correspondence were of no avail.* After some time he and I agreed that I should submit an official application for the reconsideration of the whole case and for my reinstatement upon full pay.

Accordingly, in October, 1909, with the help of the Colonel under whom I worked at the War Office, I submitted an application to this effect. This document was submitted through, and by, Sir Spencer Ewart, who kindly gave me the privilege of his advice as to its final revision. The application came before Sir William Nicholson, who refused to grant it, saying that the case had been carefully considered.

I was preparing to pursue the matter further through the official channel when rumours of an approaching General Election came into circulation, and as I was the Unionist Candidate for Woolwich, I began to turn my thoughts into another direction. If I should succeed in my election, nothing that had happened to me professionally would matter in the slightest degree, for I knew that I could hold what I had won, and I should have lain down the sword and donned the toga for ever. At the beginning of the New Year I was elected Member of Parliament for Woolwich by a majority of 295 over Mr Will Crooks, the Labour Candidate, who had been previously returned by a majority of 3,229, and who had sat for Woolwich for seven years. But as this event opened to me a new sphere of activity, the ensuing events must be reserved for another chapter.

*In the last letter which General Cooke sent me before his death he wrote: "They all stand in with one another at the War Office, and will not assign any reason for their action."

NOTE B. (*See* page 51.)

(" THAT HE HAD NEVER INTENDED " . . .)

The following incident will go far towards establishing the truth of this assertion.

It happened that in August, 1905, General Scobell was temporarily deprived of the services of his permanent A.D.C. and required a substitute from the Brigade. A subaltern in my regiment undertook the duties. Early in October this officer, whom I shall call Lieutenant S came to me privately in my quarters and asked for my advice, as many of the junior officers in the regiment were in the habit of doing. It appeared that the annual confidential reports had been sent in to the General and had been lying on his table in the Brigade Office for some time. One day, prompted by a somewhat natural curiosity, Lieutenant S had, in the General's absence, looked at the report rendered upon himself, and to his surprise and distress saw that upon an otherwise good report General Scobell had written, " This officer has a bad manner, and is unlikely ever to make a good Staff Officer." On reading this, Lieutenant S was all the more surprised as he had for many weeks been in daily personal attendance upon General Scobell, who had always treated him on the most friendly and familiar terms. The reports were ready to be sent on to the Headquarters of the Aldershot Command, and it was evident that there was no intention on the part of General Scobell to show his report to Lieutenant S. Under these circumstances Lieutenant S asked me what he had best do. I advised him to select some good opportunity, own up to the General that he had glanced at his report, and ask him to be good enough to reconsider what he had written, pointing out that it would probably have a very serious effect upon his (*i.e.*, Lieutenant S's) future in the Service. He did so, and General Scobell laughingly and without any hesitation wrote out another report, omitting all adverse comment. General Scobell had evidently no intention of complying with, or evading, para. 214 of the *King's Regulations* (1904). He was simply quite ignorant of its existence. Nor did he intend to injure Lieutenant S in any way; in fact, as Lieutenant S told me afterwards, the General had no recollection of what he had written until his attention was called to it.

CHAPTER V

(1910)

PRO FRATRIBUS, PRO PATRIÂ

> They are slaves who dare not be
> In the right with two or three.—*James Russell Lowell.*

Woolwich is a large industrial and middle-class Constituency, and my work, in 1910, as its Parliamentary representative, was full of varied activity and interest. I spoke in Parliament as soon as, and whenever, I got the opportunity, and never missed a sitting of the House. The new Parliament met on the 15th February, and on the 7th March, I made my maiden speech to a crowded House on the subject of the unsatisfactory conditions under which the Government employees worked in the Royal Arsenal at Woolwich. For the purpose of my narrative, however, I may limit the account of my political activity to the part which I took in bringing the case of my brother-officers and my regiment before Parliament.

So many personal accusations have since been levelled against me by unthinking people for the part I took upon myself to play in this national tragedy, that it may be well, in order to clear the air, to pause for a moment at the beginning of 1910 and review my personal position at that moment.

A few days after my Election I received a charming letter of congratulation from my Chief at the War Office, Sir Spencer Ewart, saying that, although

he had been unable for the moment to procure me that step in promotion for which he had previously promised to recommend me, he would keep my case in mind, if he saw any opportunity of helping me. A few days later I received information from the War Office that a confidential report had been rendered upon me by Sir Spencer Ewart after my three years' work on the Headquarters Staff, and that there was no occasion for me to see it, as it was "most excellent in every way."* Now what was my position, and had I at the commencement of 1910 a personal grievance of any sort against the Army Council?

It is true, as we have seen, that, four years previously, in my endeavours to secure a simple measure of justice for one of the men of my own Squadron, I had incurred the displeasure of my Commanding Officer, who had since been transferred to a position on the West Coast of Africa more suited to him than that of the command of an English cavalry regiment. It is true that on account of my action adverse reports had been rendered to the War Office without my knowledge, and in violation of the King's Regulations for the Army. It is true that all this had caused me the most acute sorrow some years previously, and that I should never be able to forget the injustice which my regiment, in which I had always taken, and still take, the greatest pride, suffered at the hands of the military authorities. All this is true, as no one can deny. But it is also true that at the beginning

*At this time it was only adverse reports which had to be shown to the officer concerned (*see* Note on p. 45). The Regulation that every report, adverse or favourable, must be shown to the officer was only introduced into the Army as the result of the 5th Lancers' case, in October, 1913.

of 1910, looking at the case from the purely personal point of view, there were other considerations which outweighed the above, leaving me with no memory of the personal wrong. In the first place I had suffered no financial loss, I had been entrusted with responsible duties upon the General Staff, which my qualifications enabled me aptly and with pleasure to fulfil. I had spent a hard but really interesting three years at the War Office, and at its conclusion had obtained a report which would ensure my immediate re-employment on the Staff, should I ever ask for further employment in the army. After five years' hard political work, I had secured what I had wished for, *viz.*, a seat in the House of Commons with the vista in front of me of a long political career. My feelings at that time are well described by the Military Secretary, Sir William Franklyn, who referring to this period in his official Summary of the case, made in 1912, wrote: "Major Adam felt at peace with the world."

That was my attitude towards the case. I was conscious that a great injustice had been done, but all had come right as far as I was concerned, and I was not the man to nurse the memory of a grievance.

Of course it was a very different case with my regiment and my brother-officers, who were still suffering under a great injustice. As a public man, who valued truth and justice high above all other considerations, it was my duty to obtain for my brother-officers an opportunity of giving regular form to their protests before an impartial tribunal.

The ordinary way in the Service of clearing up a difficulty of this sort is by a Court of Inquiry, which has no executive power except to make a

report to superior authority within the terms of reference. It is analogous, though of course in lesser degree, to a Royal Commission appointed to report to the Government of the day, upon any matter on which the Government seeks information. Courts of Inquiry are convened under the *King's Regulations for the Army*, and are almost daily incidents in army life. No complicated or little used official machinery has to be set in motion. Courts of Inquiry are frequent, simple and effective. I made up my mind that it was my duty, as a Member of Parliament, to obtain for my brother-officers a Court of Inquiry, at which I should, if called upon, be able to give evidence. As the circumstances of the case were so palpably unjust, I did not anticipate much difficulty in obtaining my request, when once the circumstances were known to the Military Authorities. When once a hearing had been granted, I had no doubt whatever that my four brother-officers would be reinstated in the regiment, especially when it was taken into consideration that, since the rupture had occurred, the two officers who had been responsible for it, Colonel Graham and General Scobell, had been removed from their commands. As for myself, I could hope for no personal advantage from any Court of Inquiry. I would have the satisfaction of seeing removed the slur which had been unworthily cast by Colonel Graham upon a very gallant regiment, and I should have the further satisfaction of knowing that I had done my duty, but that would be the limit of my gain. By election to the House of Commons I had placed myself upon half-pay, and upon half-pay I should remain, for at least five years. If during that time by any unforeseen circumstance I should lose my seat in

the House, my excellent final confidential report would give me immediate re-employment on the Staff, and no result of any Court of Inquiry could favour me more than I had at the time reason to expect.

Having considered the whole case very carefully *de novo*, and having made up my mind as to the path of duty, I never wavered. The only matter for further consideration was the best method in which to proceed, so as to secure justice for my regiment and for my brother-officers in the quietest manner possible without doing injury to others. Several methods suggested themselves to me, but what I actually did was as follows :—

A few days after Parliament met in February I sought a personal interview with the Secretary of State for War, to whom I desired to appeal in order to stop the ruthless discharges from Woolwich Arsenal. At this interview I brought up the case of the 5th Lancers, and, giving Mr Haldane the main features of it, asked that something might be done for Captain W and the other three officers, who had been placed upon half-pay. Mr Haldane expressed much plausible cordiality on the subject. He alleged, however, that he was not conversant with all the facts of the case, and was at first inclined to treat the matter from the usual official standpoint of the *chose jugée*. He told me, however, that if any new evidence was forthcoming, it would receive consideration, and finally promised that in any event he would look into the matter and see what could be done. I went away rather hopeful of good results, but having waited ten days in vain for any move on the part of the military authorities, I thought it time to do something else.

Accordingly, I wrote to Colonel Milner, who had been brought in from the Life Guards to command the regiment, when Colonel Graham had been sent to West Africa, and, briefly relating the facts of which Colonel Milner had but slight knowledge, asked him to apply officially for a private Inquiry into the case. This in his official position Colonel Milner could have easily done. His reply to my letter is typical of the limitations of the military mind, even when actuated by considerations of honour in the ordinary affairs of life. He seemed to think, and certainly there is every excuse for him, that because he, the Colonel of the 5th Lancers, was an honourable man, his predecessor could not have made a culpable error.* He desired what seemed to his limited horizon of view to be expedient, and counselled me to "let sleeping dogs lie." Had he taken a higher standard of conduct, the Army Council could not very well have refused to accede to his request; all that further publicity, which Colonel Milner dreaded, would have been avoided, and justice might have been done to the regiment. I replied stating that unless he could see his way to ask for the Inquiry, or unless I could obtain it in some other way, I should be forced to bring the case before the House. In reply I received an angry letter from him, refusing to make any move in the case. He professed his inability to see that the matter was one affecting the administration of the

*Colonel Milner wrote: "The insulting accusation of the Colonel of the 5th Lancers having wilfully deceived those in authority, though it is too ridiculous to affect the welfare of the regiment, will bring up its name before the public again." Very different was the attitude of the strong mind of Sir Edmund Allenby, when as Colonel-in-Chief of the 5th Lancers, he wrote to me in April, 1912: "Dear Adam, I am glad to hear that the Army Council are going into your case *and that of the Regiment.*" (The italics are mine.)

whole army, and therefore of national importance, and endeavoured to place upon my shoulders the whole onus of the consequences. It is only too true that most men can only see things which are directly apparent; they cannot take into consideration what they see may be only the inevitable effect derived from a cause to which they shut their eyes, and leading to results in regard to which they are equally blind.

On the afternoon of the same day, the 9th March, upon which I received Colonel Milner's letter, I introduced the case into my speech on the Army Estimates in the House, without mentioning any names. I had personally given Mr Haldane at our interview in the previous month the main features of the incident, and the guarded words I used in addressing the House of Commons were fully sufficient to enable the Secretary of State for War to identify the case of the General to whom I alluded as that of General Scobell.*

*I said: "A little time ago a general officer rendered reports on officers under his command of a most prejudicial character, and those reports contained not only statements of opinion, but statements also of fact. For some reason or other, either wittingly or unwittingly, the general officer had included in his report facts which had not really occurred, and he had also stated that things had not occurred which had actually occurred. These reports were rendered to superior authority without being even shown to the officers, who were not warned in any way that these reports were being rendered, and when, after a time, they received word from the higher authority that these prejudicial reports had come in, they naturally asked to see them. This was a request that could not be refused, and, as soon as the reports were seen, some of the officers appealed. But that appeal was suppressed by the very officer who had rendered the reports. This and other questions have been frequently brought to the notice of the Army Council, but the advice of the first military member of the Army Council has always been that it is better an injustice should be done to a few officers than that the Army Council should stultify itself by reconsidering its decision. If the system of confidential reporting has come to this, the sooner it is revised or abolished altogether, the better it will be for the Army and for the Army Council." (*Hansard*, 9th March, 1910, p. 1565.)

This speech, on the administration of the army, was my second speech in Parliament, and attracted a good deal of attention, especially from the Service Members of the House and throughout the army. It was gratifying to receive the congratulations of my friends and constituents, and even of comparative strangers. I received many letters from officers of high rank, well-known in military and social circles.* My speech was fairly well reported in the daily Press, and many comments appeared in various papers. *Truth* (23rd March, 1910) again published an able article on the case, hitting fearlessly straight from the shoulder.

As I had heard no more of Mr Haldane's promise to me that he would look into the case, and as no official notice had been taken of the expressly pointed allusion in my speech of the 9th March, it became incumbent upon me to make another move. Accordingly after careful consideration I drafted a short statement of the facts of the case (*see* p. 75 Note), which I could substantiate by evidence on oath, and, having done so, I showed it to a man for whose opinion both professionally and socially I have always entertained the highest regard, and I told him that, if all other endeavours were vain, I was prepared to read the statement to the House of Commons. He agreed that the matter was one of national importance to all those directly or indirectly interested in the pure administration of the Army. He approved of my taking every other step which I suggested as possible to lead to a solution of the

*One is given as an example: "10th March, 1910. Allow me to congratulate you on your able speech of last night, as, having served as a regimental officer for twenty-eight years, I know well the curse of the confidential report system, which is a scandal to our army."

matter before I actually did what I was prepared to do, and said that, as a man of honour, he was unable to advise me not to bring the case, as a last resort, before the House in some such manner as I suggested. I promised him, however, before doing so to take *seriatim* the two steps which held out any hope of settlement. One was to send my statement privately to Mr Haldane, and the other was to send it to General Scobell.

Accordingly, on the 15th March, I wrote to Mr Haldane, enclosing my statement, and asking for his consideration. Mr Haldane refused to move in the matter. On the receipt of Mr Haldane's refusal, I sent the statement to General Scobell, saying that I would await his reply. He could have done his duty and sent the statement officially to the War Office and asked for an Inquiry under the *King's Regulations*. It was the identical statement on which he took that very action a few months later. If his honour was impugned by the statement which he read in July it was equally impugned when he received the statement in April. An accusation is an accusation whenever it is made, and honour is not a matter of dates.

No reply came from General Scobell, and at the end of May I made up my mind to bring the matter before the House of Commons. I had exhausted every other effort, each of which had failed, and I had to choose between the supreme effort or the evasion of my duty. I never had a moment's doubt. Out of consideration for others, I had taken all the preliminary steps with cautious circumspection, but now that the time had come for the final effort I never hesitated out of consideration for myself. For my action in bringing the matter before the

House I claim no special credit of any sort. I am firmly convinced that any one of my fellow-citizens endowed with ordinary honesty would have done the same.

The opportunity came in June, when I again addressed the House upon the subject of the Army Estimates. On that occasion I spoke at considerable length, and gave a number of definite instances where individual officers had suffered unjustly at the hands of the Army Council. Among these I instanced the case of Captain W, of my own regiment, without naming the regiment, but naming General Scobell. I read my short statement on his case* to the House. Mr Haldane was in the House when I began to speak and remained there taking notes for a short time, but left as soon as I began to criticise the Army Council's administration.

When the dinner-hour intervened, the Financial Secretary of the War Office remained to guard the interests of his Department. In a debate of this sort one would expect an immediate reply from the War Minister, but in a speech of some considerable length, touching on all the other chief points which had been raised in debate, Mr Haldane studiously

*Having mentioned that I had previously sent the statement to Mr Haldane and to General Scobell, and that no move had been made either by the latter or by the Army Council, I continued: "The only way in which I can benefit Captain W, even indirectly, is, I am advised, to read that statement to the House. I have it type-written, so that there may be no mistake, and that I may not be led away by rhetorical exaggeration. It is as follows:

"'That Major-General H. J. Scobell, 5th Royal Irish Lancers, did render to superior authority a confidential report, or confidential reports, on an officer or officers under his command, which report or reports contained wilful and deliberate mis-statement of fact, thereby deceiving those in authority to whom the report or reports were rendered, and causing injustice to be done to one of the regiments under his command.'" (*Hansard*, 27th June, 1910, p. 763).

avoided all reference to the explicit statement which I had made about General Scobell. My speech attracted much attention and was widely reported in the Press, one of the great London Dailies devoting a leading article to it. Comments and criticisms* were numerous, and, with hardly any exception, favourable. No reply, however, came from Mr Haldane, and no move was made by the Army Council.

I had actually begun to consider what my next step should be, when late one night (13th July, 1910), without any previous warning to me or to the House, Mr Haldane rose from his seat, and asked permission to make a statement. The House was crowded. It was nearly midnight, and I was on the point of going home, when Mr Haldane rose. He read his statement from a type-written sheet.† The statement had been very carefully prepared, and, if unchallenged, might have seriously misled the public,‡ though it refrained from any personal attack upon my professional character, such as the Army Council made three weeks later in the Press.

*As examples, *see Truth* of 6th July and 10th August, 1910.

†For the analogous incident, *see L'Affaire Dreyfus* by J. Reinach (Vol. II, p. 447) " Billot " (War Minister) " manœuvra très habilement. Il monta à la tribune, dès le début de la séance, pour lire une déclaration dont chaque mot avait été pesé," etc.

‡In criticizing, for example, my statement, Mr Haldane said : " The nature and dates of the reports, and the names of the officers reported on, are not specified. Possibly the reason these particulars have not been given is that the honourable and gallant Member is not acquainted with them, and has based his charge on unverified rumours." (*Hansard*, 13th July, 1910, p. 534).

" The honourable and gallant Member for Woolwich seems to think that the removal of Captain W and other officers of the 5th Lancers to half-pay was due to Major-General Scobell. He is quite mistaken. It was due to the representations submitted to the Army Council in the

Mr. Haldane concluded his statement upon my charge with the following words: "It now rests with the Army Council to investigate the indefinite charge made against Major-General Scobell, so far as such a charge can be investigated without particulars being given.* Being well acquainted with the case,† I feel confident that the result will be the complete exoneration of Major-General Scobell."‡ As Mr Haldane was the official judge, it seems hardly worth while to have gone through the farce of a so-called investigation, if no witnesses were to be called.

It would seem that certainly on this date (13th July, 1910), if not before, the Army Council had decided how it were best from the individual point of view of Mr Haldane, and the other Members of the

autumn of 1907 by responsible officers of much higher rank than Major-General Scobell, who, *from personal inspection*, (the italics are mine) were strongly of opinion," etc. (*Hansard*, 13th July, 1910, p. 534.) This is the first allusion to a report, which, as set forth in the Army Council's libel upon me, published by them three weeks later, was rendered over the signature of H.R.H. The Duke of Connaught. Mr Haldane knew that the Duke of Connaught had never personally inspected the 5th Lancers, and that the report in question was written by Major-General Scobell who four months previously had been transferred from command of the 1st Cavalry Brigade at Aldershot to be Inspector-General of Cavalry on the Duke's Staff.

*Mr Haldane is here exaggerating his difficulty. All he had to do was to order a Court of Inquiry, and he would have got all the particulars he wanted from me and four or five hundred officers, non-commissioned officers and men of the 5th Lancers.

†See, however, the account of my interview with Lord Haldane in 1912, p. 102.

‡*Hansard*, 13th July, 1910, p. 535. Analogous to the statement made by the French War Minister, General Mercier, in the Press in 1894, three weeks before the opening of the Court Martial on Captain Dreyfus: "The guilt of this officer is certain."

Council* to deal with the case in order to save themselves. They would have no Inquiry, official or unofficial, public or private. They would throw this *interim* statement to the House as a sop in order to stifle further inquiry and comment, which a complete refusal to reply to the charge I had made would only have enhanced. They would make it appear to the public that they had held an Inquiry, and then when the House had risen and I was unable to reply from my seat there, they would launch, as they did, through the columns of the public Press an attack upon me, which published with the seal and sanction of officialdom would, they hoped, once and for all close my political and professional career. It was a plot worthy of its authors, and it met with a temporary measure of success. But time is long, and the end of the matter is not yet.

When Mr Haldane sat down I rose at once from my place below the gangway, and in reply pointed out that the Secretary of State had not disproved any of the facts stated by me in my previous speech, and asked the House to wait, before giving its verdict, until the Inquiry should shew the truth of my statements. I charged Mr Haldane with discourtesy.† The House was crowded at the time of

*Sir William Nicholson, Sir Ian Hamilton, Sir Herbert Miles, and Sir Charles Haddon.

†I said: "At this late hour, and being totally unprepared to speak, I can do nothing but go over the points touched upon by the Secretary of State for War. I think, however, that if the right hon. Gentleman had intended to allude to the speech which I made on the Army Estimates some ten days ago, it would have been more courteous, especially to a young member of the House, to have warned me of his intention. I can only say in reply to the Secretary of State that I listened intently to what he has addressed to the House, and in all his remarks there is not one single confutation of any fact which I stated in my former speech." I then reviewed Mr Haldane's statement, and in reference to the case of Captain

the incident, and Mr Haldane's action aroused much opposition, which prolonged the sitting till after half-past three in the morning. The following Members of the Opposition took part in the debate,: Mr George Wyndham, Sir Alexander Acland-Hood, Lord Hugh Cecil, Lord Balcarres, Viscount Castlereagh, Marquis of Tullibardine, Viscount Helmsley, Mr Stanley Wilson, and others.*

W, of the 5th Lancers, said : " The Secretary for War refuses to re-open the case because, he says, there has been full inquiry into it. I do not know what the Members of this House understand by the word ' inquiry.' To my limited knowledge an inquiry should cover and hear both sides of the question. But the inquiry conducted into the case of Captain W has only dealt with one side of the question. It has only seen the reports of the colonel commanding the regiment and of Major-General Scobell. It has never heard what Captain W has to say. The appeal which he made in this case was suppressed by the very officer or officers who had rendered the reports, and Captain W is still asking for an inquiry.

" I take it in cases like this—and we have many of them—I have only picked out three or four haphazard—I say in cases where there is doubt as to an officer's efficiency for his position, and it is the intention of the Government to supersede him or to place him outside the active list of the army, then surely, in justice to himself and to the whole of the army, that officer should be told on what ground he is condemned ; he should be given a full right of appeal against the decision, and, if that appeal is not to be entertained, then surely he ought to have, in common justice, a Court of Inquiry, before which the facts on both sides of the case might be stated. The Army Council and the Selection Board judge these cases on reports by senior officers. They never hear the other side of the case. I sincerely hope, for the sake of Captain W and for the sake of those other officers (Lieutenant G, Colonel C, Colonel G, and Major-Gen. B), the Government will see fit to hold—what should have been held in the first instance—a Court of Inquiry to hear both sides of the question." (*Hansard*, 13th July, 1910, pp. 537-9.)

*Mr Wyndham, reviewing the case, said : " The right hon. gentleman (Mr Haldane) said the matter was so grave that he had had to commit his statement to writing. If it was of that gravity, was there not some other channel of communication which he might have chosen, or if he thought this was the proper channel of communication, was there not some other hour of the day or night more suited than the present for the declaration of a statement so grave that a Minister of the Crown who has an easy command of words felt it necessary to commit it to writing

This scene in the House created much comment in the Press, far more than any previous incident in the case had occasioned. Meanwhile, corroboration of my statement came from an unexpected quarter, for Colonel C whose name had been mentioned in the debate both by myself and Mr Haldane, published a statement in *The Morning Post*, in direct contradiction of Mr Haldane's statement.*

and read it out to the House. He did not impugn either the honour of the hon. and gallant gentleman (Major Adam) or the veracity of the statements he made, and I think it was most unfortunate to make such a statement at such an hour" (after midnight).

Sir Alexander Acland-Hood said: "I have a very strong feeling, and I think every old soldier will agree with me, that this system of confidential reports requires very careful consideration and overhauling. I complain that the right hon. gentleman should take the opportunity of making an attack on my hon. and gallant friend (Major Adam), and I say the right hon. gentleman ought to have given my hon. and gallant friend (Major Adam) notice that he was going to deal with this matter."

Lord Hugh Cecil moved the adjournment "in view of the way the Government have handled their business and of their unfairness and discourtesy to my hon. and gallant friend (Major Adam)."

The motion for adjournment was seconded by Mr Worthington-Evans.

Viscount Castlereagh said: "The right hon. gentleman (Mr Haldane) rose in his place and read to us a type-written statement—a statement which I have no doubt he has taken sixteen days to prepare. Well, he has had sixteen days to inform the hon. and gallant Member (Major Adam) of his course; and I think it would have been very courteous on his part if he had first of all taken some other opportunity of making this very important statement, and if he did not take another opportunity, certainly of giving notice to the House and my hon. and gallant friend (Major Adam)." (*Hansard*, 13th July, 1910, p. 539, *et seq.*).

*Mr Haldane said: "He (Major Adam) stated that Colonel C was practically expelled from the Army owing to his supersession by a junior officer. In regard to that I can only say that Colonel C was not superseded." (*Hansard*, 13th July, 1910, p. 532.)

Colonel C wrote: "That I was superseded is not a question of opinion but a matter of fact." Letter of 14th July, published in *Morning Post* of 19th July, 1910.)

Mr. Haldane in reply wrote: "I see nothing in my statement which is inaccurate or misleading, and I do not propose to modify it." (Letter of 15th July, published in *Morning Post*, 19th July, 1910.)

Colonel C's publication contained some correspondence upon the subject which had recently passed between himself and the Minister for War. Colonel C challenged the Secretary of State for War to traverse his statement, a course which Mr Haldane carefully refrained from adopting.

Just at this time, a short notice of a volume of poems written by me appeared in *The Times*, and thereupon I received an anonymous letter from the War Office.* It serves to illustrate the limited horizon of honour and intelligence of some officer employed upon the War Office Staff. As the facts stated in my speech in the House are now publicly known to have been correct, I expect the writer is already repentant.

Just about this time a Member of the House, one of my own party, met Sir Ian Hamilton, the Adjutant-General, at dinner in London, and the conversation turned upon the case of the 5th Lancers which I had raised in Parliament. The Member was much surprised to hear Sir Ian Hamilton express himself so bitterly against me, and he understood from the General that the Army Council was preparing a surprise for me.

On the 24th July I received an undated official letter from the Adjutant-General (Sir Ian Hamilton),

*The reviewer of *Rus Divinum* wrote: "The Unionist M.P. for Woolwich has abundant fancy." The anonymous letter was written on officially stamped War Office note-paper, and ran, "Is this criticism confined to the poetry, or can *The Times* possibly be alluding to recent statements in Parliament?"

asking me if I wished to forward to him any evidence in substantiation of the charge which I had brought. As this was four weeks after the date of my speech, and eleven days after Mr Haldane had read to the House the type-written document stating that he was well acquainted with the case and felt confident that the result of the investigation would be the complete exoneration of Major-General Scobell (*see* p. 77), it seemed to me then (and my opinion has since been amply corroborated) useless to allow myself to be made the plaything of an official scandal, and to submit evidence to Sir Ian Hamilton on a matter into which he and the other Members of the Army Council had decided not to hold any inquiry and upon which Mr Haldane had already made it perfectly clear that his mind was made up as to the course he intended to pursue.

I therefore informed Sir Ian Hamilton officially that I was writing to the Secretary of State on the subject of the official letter, and on the same date I wrote to Mr Haldane, pointing out that an epistolary inquiry would be quite inadequate to meet the case, and would be unfair to Major-General Scobell, and expressed the hope that he would have the case investigated in some reasonable way.

On the same day, Mr Walter Long put a question in the House reminding Mr Haldane of his promised inquiry into the case of General Scobell, but Mr Haldane refused to give any satisfactory reply. A few days later, on the 4th August, 1910, the House rose for the Summer recess, which gave the Army Council the opportunity for which they had waited six weeks.

On the very next day Mr Haldane's private secretary wrote to me saying that Mr Haldane had

transferred my letter to the Army Council for consideration. The matter might have been considered on or since the 27th June, but if not, one would expect the consideration to commence only after the receipt of my letter. That Sir William Nicholson had drafted the Army Council's libel upon me in the form of a letter to General Scobell previous to the receipt of my letter is conclusively proved by the fact that on the 1st August, Sir Spencer Ewart, whose correspondence shows him to be constantly in my favour, was appointed Adjutant-General and Second Military Member of the Army Council. The draft of the letter had been previously approved of by his predecessor, Sir Ian Hamilton.* The fact is clear that the Army Council (*i.e.*, the three Members of it, Mr Haldane, Sir William Nicholson and Sir Ian Hamilton) had decided upon their course of action at the end of June or the beginning of July, and all their statements in the House and their official letter to me asking for the evidence which they knew only too well that they themselves possessed, had no other object than to blind the public to the fact that they had been convicted of conduct which they could not hope to justify.

On the same day on which Mr Haldane's private secretary wrote to me, the Army Council sent to the Press an official communiqué, containing five

*In *Adam v. Ward*, Sir Edward Ward stated on oath that the draft of the libel was in the handwriting of Sir William Nicholson (*Off. Rep.*, *p.* 330), that it bore the initials of Sir Ian Hamilton (*Off. Rep.*, *p.* 331), and that he thought that Sir Spencer Ewart was appointed Adjutant General about ten days or a fortnight afterwards (*Off. Rep.*, *p.* 330). This chronology exactly fits in with the natural order of events, and proves that the material portions of the libel were drafted, corrected, copied and signed between the 15th and 20th July, 1910, *i.e.*, before I was even asked to give evidence.

letters,* the last one of which became at a later

* (1) (*Letter from the War Office to Major Adam*)

WAR OFFICE,

Confidential. *July* 1910.

77582/35 (A.G.3.)

SIR,

With reference to the charge which you brought against Major-General H. J. Scobell, C.V.O., C.B., in the House of Commons on 27th June, 1910, and to the statement of the Secretary of State for War in regard thereto on the 13th instant to the effect that the General Officer in question had officially called attention to the charge in accordance with paragraph 446 of the King's Regulations, and that it now rested with the Army Council to investigate it, I am commanded by the Council to enquire whether you wish to forward for their consideration any statement in amplification or substantiation of the charge, and if so to request that you will do so as soon as possible.

I am, Sir,

Your obedient Servant,

(*Signed*) E. D. WARD.

MAJOR W. A. ADAM,
HOUSE OF COMMONS.

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(2) (*Letter from Major Adam to the War Office*).

HOUSE OF COMMONS,
29th July, 1910.

SIR,

I have the honour to acknowledge your undated confidential letter (77582/35, A.G.3), and to inform you that I have written to the Secretary of State for War concerning the matter to which it refers.

I am, etc.,

(*Signed*) W. A. ADAM.

TO THE SECRETARY,
WAR OFFICE.

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(3) (*Letter from Major Adam to Mr Haldane*).

HOUSE OF COMMONS,
29th July, 1910.

DEAR MR HALDANE,

I have received an undated confidential letter from the Secretary of the War Office, asking me if I wish to forward for the consideration of the Army Council any statement in amplification or substantiation of the charge which has been brought against Major-General H. J. Scobell, C.V.O., C.B.

For three years the Army Council has been deaf to all applications for an inquiry into the case of Major-General Scobell, and that officer, whenever approached, has declined to move in the matter. While not denying that injustice has been done to Captain W the Army Council has during all this time sheltered itself by laying the responsibility for the original report upon Major-General Scobell, while Major-General Scobell has sheltered himself by laying the responsibility for the resultant action upon the Army Council.

Under these circumstances it would appear that the scope of an inquiry must include investigation into the administration of the Army Council, as well as into the conduct of Major-General Scobell, and it will be evident to you that an epistolary inquiry conducted by the Army Council, such as is proposed by the letter to hand, would be unfair to Major-General Scobell, would command the confidence neither of Parliament nor the public, and would, in fact, be totally inadequate to meet the demands of the case.

I have the strongest desire not to embarrass your administration (for your personal share in which I have a high regard), but I think you must be aware that the Army Council has forfeited the confidence which the Army and the public were prepared to place in it at its inception, and therefore I hope that you will see your way to investigate the case of Major-General Scobell (and the many other cases awaiting investigation) by some means other than the proposals embodied in the Secretary's letter.

I am, etc.,
(*Signed*) W. A. ADAM.

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(4) (*Letter from Mr. Haldane's private Secretary to Major Adam*).

WAR OFFICE,
5th August, 1910.

DEAR SIR,

I am desired by the Secretary of State for War to acknowledge the receipt of your letter, dated 29th July, 1910. Mr Haldane presumes that this letter is to be regarded as your answer to the official letter addressed to you by the Army Council, which was inadvertently undated, but was signed and despatched on July 23rd, and in which you were asked whether you desired to put forward for the consideration of the Council any further statement in amplification or substantiation of your charge against Major-General Scobell. Mr Haldane bases his assumption on your official reply to the Secretary of the War Office, dated July 29th, to the effect that you were addressing the Secretary of State for War on the subject of the Council's official letter above referred to.

Mr Haldane has accordingly transferred your letter under reply to the Army Council for consideration, though he can find nothing in it which can be regarded as pertinent to your charge against Major-General Scobell. The letter appears to Mr Haldane to consist of a repetition of the vague allegations which you made against the Army Council in the House of Commons on June 27th, and which in his statement in the House on July

13th he declined to discuss. To that statement Mr Haldane has nothing to add.

The Secretary of State proposes to publish your letter, and the reply which I am instructed to make thereto.

Yours faithfully,
(*Signed*) A. E. WIDDOWS,
Private Secretary.

MAJOR W. A. ADAM, M.P.

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(5) (*Letter from the Secretary of the War Office to Major-General Scobell*).

WAR OFFICE,
5th August, 1910.

SIR,

In reply to your letter of the 8th July, 1910, asking that an inquiry should be instituted in regard to a statement made by Major W. A. Adam, M.P., in the House of Commons on June 27th, to the effect that while in command of the 1st Cavalry Brigade you rendered confidential reports on certain officers, which reports contained wilful and deliberate misstatements of fact, I am commanded by the Army Council to inform you that a thorough investigation has been made of the reports made by you at that time on certain officers of the 5th Lancers, who were afterwards removed from the regiment, and to whom it is believed that Major Adam's statement bore reference. Major Adam is himself one of these officers. The Council also thought it proper to address a letter to Major Adam on the 23rd ultimo, inquiring whether he desired to forward for their consideration any statement in amplification or substantiation of his charge against you. On the 29th idem a reply was received from Major Adam to the effect that he had written to the Secretary of State for War on the subject, but his letter of the same date to the Secretary of State is found to contain nothing pertinent to the present investigation. The Council are satisfied that not only did your reports contain the unbiassed and conscientious opinion you had formed on the officers in question, but that the conclusions at which you arrived were correct, as they were afterwards borne out not only by the opinion of your successor in command of the 1st Cavalry Brigade, but also by a special report on the 5th Lancers made by H.R.H. the then Inspector-General of the Forces, and confirmed by the General Officer Commanding-in-Chief the Aldershot Command. Further, as showing the absence of hostile bias, the Army Council note that in the case of Major Adam, who in 1906 was called upon to retire from the Service in consequence of adverse reports which were duly communicated to him, you intervened on his behalf and urged the Council to give him another chance in an extra-regimental appointment. In the result it was decided to give Major Adam this chance. I am to add that the Council are of opinion that the charge brought against you by Major Adam is without foundation.

I am, etc.,
(*Signed*) E. D. WARD.

TO MAJOR-GENERAL SCOBELL,
C.V.O., C.B.

date the cause of action in the case of *Adam v. Ward*. An analysis of this letter is given elsewhere (*see* pp. 122 *et seq.*), so it will be enough to say here that this letter, which was drafted by Sir William Nicholson, submitted to Sir Ian Hamilton, and approved of by Mr Haldane, was a net-work of statements misleading throughout, publicly attacking me in a capacity in which its authors knew that I was unable to reply, *viz.*, as an officer in the army.* These five letters, one of which had been marked "Confidential" by the Army Council themselves, constituted the first important published statement of the 5th Lancers case.

I was in the country when I read the communiqué in the morning paper, but returning to London without delay I wrote to Mr Haldane pointing out that as no Inquiry had been held by the Army

*In the trial of *Adam v. Ward*, neither Sir William Nicholson, Sir Ian Hamilton, nor Lord Haldane came forward to justify their conduct. After pointing out to the Jury that any and all of the three could easily have come forward, MR DUKE continued (*Off. Rep.*, *p.* 616): "I will say to you a few deliberate words about the conduct of these three men. . . Is this not a true allegation, that they inflicted a grave sentence upon a fellow citizen without having heard him in his defence? . . . That is one thing. I say this further, that, having sat in Committee, and in secret, without hearing evidence on a matter which affected the character and livelihood of a fellow-citizen, they published their censure of this man with the statement that it was the result of a thorough investigation. That is what I say about the three Members of the Army Council and Sir Edward Ward. It is not only true, gentlemen, it is incontestible. All that can be said in extenuation of it, if it can be truly said, is that it is consistent with the custom of the Army. Gentlemen, if it is consistent with the custom of the Army, it is time here in a free country, in the twentieth century, that such a custom disappeared. It might be well enough for the government of an army of a despotic power, but is inconsistent with the justice and the fairness upon which, in this country, we pride ourselves."

Council, the truth of my charge remained unshaken.* I sent a copy of this letter to the Press for publication. I took no notice of the Army Council's personal attack upon my professional character; as an officer on the active list of the Army I was prohibited by the Regulations from doing so, which the Army Council well knew.† That they themselves had by their communication to the Press violated the Regulations was no reason why I should do so. I decided to bring up the matter again in Parliament at the first opportunity.

As to the best method of raising the matter in the House I consulted one of our Party Whips well versed in Parliamentary procedure, and acted upon the written advice given me by him. Parliament did not meet again till the middle of November, when, in accordance with the advice given to me, I at once asked the War Minister three questions.‡

*(*Letter from Major Adam to Mr Haldane*).

CARLTON CLUB, S.W.,
8th August, 1910.

DEAR MR HALDANE,

My attention has been called to the publication by you of some correspondence relating to Major-General Scobell. This correspondence proves that the evidence of no one concerned except that of Major-General Scobell has been taken, and no inquiry into his case has been held. The fear of Major-General Scobell and the Army Council to face open inquiry corroborates the facts which I stated in the House of Commons on the 27th June last, and until an inquiry has been held, the very serious and definite accusation which has been publicly made against Major-General Scobell must be accepted.

Believe me,
Yours truly,
(*Signed*) W. A. ADAM.

†This was admitted by Sir Edward Ward in *Adam v. Ward* (*Off. Rep., p.* 364). ‡ (1) Whether he would state the date or dates in July or August on which the investigation into the case of Major-General H. J. Scobell was held? (2) Whether he would state the names of the officers who conducted the investigation? (3) Whether he would state the names of all the witnesses called?

Mr Haldane did not reply for four days, when to the first he gave an incorrect reply,* to the second he gave no reply, and in answer to the third he admitted that no witnesses had been called. He also stated that the various reports had been "independently rendered." This statement is incorrect.

On the day on which I received Mr Haldane's reply to my questions, Mr Asquith announced to the House that the Government intended to dissolve the following week.

The next day I put down seven starred† questions asking for more definite information on the points raised.‡ Mr Haldane refused to give the information asked for or to do anything further in the case, and supplementary questions met with a further refusal, or were left unanswered.§

*The dates Mr Haldane gave were "between July 9th and August 4th." These dates have been shown above to be impossible.

†A starred question is urgent and requires a reply within twenty-four hours across the floor of the House. ‡ The questions were: (1) On what actual dates was the investigation into the case of Major-General Scobell held between July 9th and August 4th, and how long did the investigation last on each day that those conducting it sat? (2) Whether any shorthand note was taken of the proceedings; and, if so, whether it has been printed? (3) Whether at the investigation, Captain W was represented by Counsel or otherwise? (4) Whether the two officers mentioned as having corroborated the reports of Major-General Scobell were asked to give evidence at the investigation? (5) Whether all the Members of the Army Council were present at each sitting of the investigation; and whether every Member of the Council heard all the evidence produced? (6) Whether he will state the names of those who gave evidence; and whether the witnesses were examined on oath? (7) Whether it is the intention of the Army Council to publish the proceedings of the investigation?

§MR HALDANE in reply said: "I must remind the hon. and gallant Member that the proceedings of the Army Council are confidential, and I am therefore not prepared to furnish the detailed information asked for in questions (1) to (7). On the 18th inst. I gave him an account of the procedure adopted by the Army Council in arriving at their decision, and

The following day I left for my Constituency. The Election was a most strenuous contest. The Labour Party made great capital out of the false facts about me published by the Army Council, and on the eve of the poll issued a leaflet containing the Army Council's libel upon me of the previous 5th August (*see* p. 86).

This decided the Election at Woolwich and I lost the seat which had taken me five years' hard work

to that statement I have nothing to add." (Mr Haldane's statement that the proceedings of the Army Council are confidential appears to refer only to cases in which their own conduct is taken exception to. In cases in which the character of individual officers of the army is attacked by the Army Council, that body is apparently untrammelled by any such convention.) MAJOR ADAM: "May I ask the right hon. Gentleman if he would kindly give me a definition of the word 'investigation' as understood by the Army Council?" MR HALDANE: "There was an investigation made in conformity with the King's Regulations" (this is incorrect: the only investigation sanctioned by the *King's Regulations* is a Court of Inquiry, which I had asked for, and which Mr Haldane had refused), "and the hon. and gallant Member knows the object of that investigation." MAJOR ADAM: "Does the right hon. Gentleman not see that it would be much fairer to Major-General Scobell to have an open investigation on a charge openly made?" MR HALDANE: "The hon. and gallant Member made a charge against Major-General Scobell. The Army Council thereupon, in answer to Major-General Scobell, took action to investigate the charge, and by a request in writing called on the hon. and gallant Member to substantiate his allegations. Several days were allowed to elapse, and the hon. and gallant Member did not respond to the invitation," (for the true facts *see* Note on p. 83) "therefore an investigation took place by the Army Council in the ordinary course." (But the letter of Mr Haldane's private Secretary acknowledging my letter bears the same date as the Army Council's libel upon myself). MAJOR ADAM: "Under the circumstances, considering the fact that no evidence has been called and no investigation has been made, I ask what the right hon. Gentleman intends to do?" MR HALDANE: "The hon. and gallant Member had the opportunity of substantiating the allegations he made against Major-General Scobell. He did not choose to do so, the matter is over, and I decline to take any further action." MAJOR ADAM: "May I ask if the right hon. Gentleman is not aware that there are many people, not myself, at all, but besides myself, who are ready and willing to substantiate the allegations that have been made?" No answer was returned. (*Hansard*, 22nd November, 1910, pp. 254-5).

to win by the narrow majority of 236. This was the third Election I had fought at Woolwich, and I was beaten not so much by the efforts of my political opponents, as by the effect of this unfair action of the Army Council.

CHAPTER VI

(1911-1913)

THE RE-OPENED WOUND

> He that filches from me my good name,
> Robs me of that which not enriches him,
> And makes me poor indeed.—*Shakespeare.*

HAVING lost my seat in Parliament, I was forced to retire (I hope only temporarily) from political life, and after the excitement of the General Election and of the Christmas Holidays had subsided, I began to think about returning to military employment. I called upon my late General, Sir Spencer Ewart, who, on the 1st August, 1910, had been appointed Adjutant General and Second Military Member of the Army Council. He received me most kindly and promised at once to put forward my name for re-employment upon the General Staff. Shortly afterwards I called upon him again, and he told me most sympathetically that he had put my name forward to Sir William Nicholson and Mr Haldane, and strongly recommended me for Staff employment, but that they had agreed that an officer, who had behaved as I had in Parliament, could not be employed. That my action in Parliament has been the cause of my subsequent non-employment is strongly hinted at by Sir William Franklyn in the

last paragraph of the official Summary on the case, which he, as Military Secretary, drew up in 1912, and my note on that passage deals with the unconstitutional view taken by Mr Haldane (*see* p. 106, Note 1). To put the matter plainly, I had not only been deprived of my political career by the Army Council's public attack upon me in my professional capacity, but I was now in addition to be deprived of my professional career, because I had done my duty in my political capacity. Sir Spencer Ewart had, however, only privately confided to me what he thought to be the reason of the Secretary of State's refusal to re-employ me, and as I should have been automatically brought again upon the list of my regiment to fill the first vacancy, had I not been placed on half-pay in 1907 in violation of the Regulations, I decided that the only thing left for me to do was once more to open the whole case, have it considered, and obtain the justice which had been denied to me. I felt that as soon as the facts of the case were known to the military authorities, I should at once be permitted to resume service with my regiment, if I were not immediately re-employed upon the General Staff, to which my qualifications and my excellent report as a Staff Officer of the previous year entitled me.

I considered it advisable to connect my re-opening of the case with some official act which had gone before, and I decided that my best course would be to ask officially what had become of my Appeal against General Scobell's report rendered in 1906 (*see* p. 49). It will be remembered that General Scobell had given me his personal guarantee that he had taken steps to " ensure that that report should have no deleterious effect upon my career " (*see*

p. 52), a statement which the sequel shows to have had no meaning at all. Accordingly I drafted an official letter to the Military Secretary which was the first of a long series of letters, both private and official, written in the endeavour to obtain justice, a series which is not yet closed. On the 5th March, 1911, I made my official application to the Military Secretary, and on the following day I wrote a private letter on the subject to Mr Haldane, from whom I received a reply, saying he would give the matter his careful consideration.

The official answer* 21st March, 1911, to my application is undoubtedly one of the most important of the many letters in the case. That it was considered to be so by the Army Council themselves is proved by their frequent reference to it as an authority in subsequent correspondence. The letter, therefore, requires our careful consideration. My letter of the 5th March, had asked one definite question, *viz.*, what had become of my Appeal lodged in 1906, to which this War Office reply entirely omits any reference whatsoever. The first paragraph states that General Scobell had communicated to me on the 7th October, 1906, his report of that date,† and is incorrect. This communication I had already denied in my official application of the 11th October, 1909, and again in my letter of the 5th March, 1911. In case, however, that the Army Council should have doubted my word, they had had in their possession since 1906 my official application to see the report of

*This and the subsequent official correspondence were disclosed at the trial of *Adam v. Ward* three years later.

† "General Officer commanding 1st Cavalry Brigade, whose remarks dated 7th October, 1906, were duly communicated to you at the time by that Officer."

the Brigadier, endorsed by the Commanding Officer, and the Brigadier himself and dated the 11th November, 1906.* This they produced at the trial of *Adam v. Ward* in 1914. The statement therefore contained in the first paragraph is not only untrue, but it is made in defiance of official documentary evidence from an outside contemporaneous source, evidence relied upon as such by the Army Council themselves, and produced by them officially in the High Court of Justice.

The next point worthy of comment is the matter contained in the second paragraph of this Army Council letter, which is the first intimation given to me, either officially or unofficially, of any report at all rendered by Sir John French.† Although, as Sir William Franklyn declared in his Summary of June, 1912, that it was this report rendered in November, 1906, which caused the Army Council to order me to resign my commission,‡ it will thus be seen that I first heard of the existence of any such report in March, 1911.§

*The reason for my application to see the report is clearly stated in the application, *viz.*, that I had not been shown the report by the General Officer commanding the 1st Cavalry Brigade, as required by *King's Regulations* (1904) *para.* 214.

†A " report dated 3rd November, 1906, was specially submitted to the Army Council by the General Officer Commanding-in-Chief at Aldershot " [Sir John French].

‡ " I [Sir William Franklyn] explained to him [Major Adam] that the action taken by the Army Council was not based on any report on Army Form B. 194, but on a letter from the General Officer Commanding, Aldershot."

§Even the Army Council's libel upon me, published on the 5th August, 1910, which details *seriatim* the reports connected with the case, contains no reference to this fundamental one. The legal assumption is that Sir William Nicholson, who composed the libel, knew that I had never seen or heard of this report.

The Army Council's letter went on to state that Sir John French had reported to the Army Council that his letter of the 3rd November, 1906 (here for the first time called "a report") had been communicated to me on the 8th November, 1906. As the letter bears date of 3rd November, a breach of the *King's Regulations* is here admitted, even if it had been shown to me on the 8th. But it was not. I have never seen it yet. *The statement that it had been communicated in November, 1906, is *a fortiori* incorrect. Paragraphs 3 and 4 are official confessions of administrative acts carried out by the Army Council in violation of the obligations imposed upon them by the *King's Regulations*. In these paragraphs they condemn themselves. Paragraph 5 re-affirms what happened in 1909 when the Army Council committed themselves once more officially to the incorrect statement about the careful consideration given to the case. The final paragraph contains an official invitation to appeal to

*In the trial of *Adam v. Ward* (*Off. Rep., p.* 381) MR JUSTICE DARLING (to Major Adam): "Is the attached report that document upon two pages before the memorandum?" MAJOR ADAM: Certainly not. I have never seen that in my life, and never knew about it." MR JUSTICE DARLING: Those two pages contain Sir John French's report." What had been done was this. Over my original application to see General Scobell's report, someone had at some later date pinned a copy of Sir John French's report, with the effect of making it appear that my application referred to the latter (*see* pp. 46-47), which therefore I must have seen. This was easily exposed by Mr. Duke in his address to the Jury in *Adam v. Ward*. Speaking of the refusal of the War Office to produce at the trial any document which might have given me the slightest assistance, Mr. Duke said (*Off. Rep., p.* 599): "The memorandum addressed to him (Major Adam) that his promotion would be stopped was not produced; the registers were not produced in which that memorandum and its acknowledgment by him would be recorded, and what was ultimately produced was a colourless document which had pinned to it, it being a document discoloured by time, the two tissue sheets of a crisp copy of a document not discoloured by time."

the King under Section 42 of the Army Act.*

In my reply to this letter I dealt with the facts of the case, commented upon the refusal of the Military Authorities to give any answer to my question about my Appeal made in 1906, and accepted the Army Council's invitation under Section 42. After some further correspondence with the Army Council, my Appeal was lodged on the 3rd April.

No reply was received till the following August, when I was informed that my Appeal had been rejected, though no grounds of rejection were given. These official Appeals, under Section 42 of the Army Act, are merely a device to throw dust in the eyes of the army, and draw an officer into the belief that he possesses a means of redress, which really he does not possess. As Mr Justice Darling clearly pointed out at the trial of *Adam v. Ward*, the decision on these Appeals rests solely with the Secretary of State, who is not likely voluntarily to reverse a decision which he has himself already given. The political morality of the present day appears to be based on the assumption that the politician should think of himself first, last, and all the time. Only when he thinks that he is safe, do considerations of State, or even the common dictates of moral justice, have any weight with him. It follows that an Appeal to Cæsar against a decision of Cæsar's is foredoomed to failure. The practical result accruing from the

*Section 42 runs thus: "If an officer thinks himself wronged by his commanding officer, and, on due application made to him, does not receive the redress to which he may consider himself entitled, he may complain to the Army Council in order to obtain justice, who are hereby required to examine into such complaint, and through a Secretary of State make their report to His Majesty in order to receive the directions of His Majesty thereon."

fact that the decision on an Appeal rests with the Secretary of State is to divest the procedure of all finality. The opinion of one War Minister is not likely to be identical with that of his successor, who, especially if he belongs to another political party, will probably not hesitate to reverse the previous decision.

My Appeal having been rejected, I wrote to Sir Spencer Ewart about employment, and saw him by appointment a few days later. He fully agreed that the rejection of my Appeal gave me a stronger claim to employment, and promised to ask for the sanction of the Secretary of State for War. After about five weeks Sir Spencer wrote me a short letter saying that his intervention had been fruitless, and at an interview with him a few days later, gave me clearly to understand that my action in the House of Commons was the reason for my non-employment.

On the 11th November, 1911, there appeared in the *Outlook* a remarkable article entitled "The British Dreyfus Case," written over the initials "L. P. J."* It is well informed and informative, and suggested to me the sub-title of the present book.

*The writer closed his article with a summary of the parallel, thus: "In reading the two accounts (*i.e.*, of the French Captain Dreyfus and the English Captain W and the 5th Lancers) we cannot but be struck by the remarkable parallel, as well as by those points of dissimilarity which reflect discredit upon the military authorities who are responsible for the British case. In both we have a Staff officer accused; in both we see the spectacle of a secret condemnation on secret evidence not even shown to the accused, followed by a public degradation. The French officer was informed of the accusations against him, though not of all the accusations; the British officers were not so informed, have not yet been so informed. The French officer had a trial, though a mock one; the British officers have had no trial, their repeated requests for trial having been invariably refused. The French officer protested his innocence of a particular charge; the British officers protest their innocence of any hostile charge whatever that may have been made against them. The French officer had by his arrest and trial full warning of the treatment

I put myself in communication with the Editor of *The Outlook* who informed me that a special Messenger had been sent from the War Office to purchase a number of copies. This shows that the official mind had taken alarm, and probably accounts for the tone of the official correspondence sent to me during the two following months.

After some further endeavours to clear up the mystery in which the War Office had enveloped the whole case, I decided to ask officially why I had been placed upon half-pay, and took Sir Spencer Ewart's advice on the matter. A few days later I put the question to the Army Council, and, no reply being received, I officially requested permission to publish

which he was to expect; the British officers had no such warning. The French officer's military career was ruined in the very prime of his professional life; the British officers too, with an average of twenty years' honourable service in peace and war, wearing military decorations, neither inexperienced nor fossilized, incurred military ruin at the very time when they had become a valuable national asset. Picquart was serving upon the Headquarter General Staff when he received information of the French officer's innocence; Adam was in similar employ when he too learned the truth. Castelin and Scheurer-Kestner brought forward the case in the Chambers of the Legislature; Adam acted the same part. Zola publicly accused the generals and the French War Office of knavery; Adam made similar charges against General Scobell and the British War Office. Mercier, Billot and Cavaignac, from their place in the Government as successive Ministers for War, defended the illegal proceedings of their military subordinates with manufactured evidence and gross misrepresentation; Mr Haldane did the same.

"Both the French and British War Ministers asserted that the charges made were fully known to the officers concerned. The French Minister after many years had to confess that the contents of the document containing the principal charge against Dreyfus had never been communicated to him; the British Minister ——, but why go further?

"In the end, after seven years, public opinion in France rose, and demanded that the French officer should have the same impartial treatment as is given in every civilized country even to a murderer after his foul act. We in England are passing through the seventh year [1911] during which we have kept this skeleton in our national cupboard. As a British man, I ask you, British men, to say whether the time has not also arrived for us to do justice to our fellow-men?"

a statement of the facts, with special reference to the Army Council's letter of the 5th August, 1910, which to my surprise I found was generally believed to be true. It is not an unknown procedure of politicians to influence the Public through the Press, and if one is able to gag one's opponent, success is assured—for a time.

My request to be informed of the reason why I was placed on half-pay led to further correspondence, in which the Army Council refused to tell me, merely re-asserting the incorrect statements which they had made in their letter of the previous 21st March.

My request for permission to publish a statement of the case called forth a reply from the Army Council dated the 18th January, 1912, in which they refuse to allow any publication, and express their desire to close all further discussion on the subject. This letter was drafted by Sir Nevil Macready.*

*In *Adam v. Ward* (*Off. Rep., p.* 332) MR DUKE, having read aloud the letter, asked: "Do you think that Major-General Macready drafted that?" SIR EDWARD WARD (on oath): "Yes." In this letter Sir Nevil Macready, referring to the Army Council's letter of the 5th August, 1910, which they later had to admit in the High Court of Justice to have been a false and malicious libel, wrote: "The Army Council can find nothing in this letter which could give rise to an erroneous impression, the statements made therein being correct, complete and pertinent to the investigation which it was the duty of the Army Council to undertake." Again, referring to the fact that I had called the attention of the Army Council to the fact that the publication of their letter (*i.e.*, the libel) had caused me to lose my seat in Parliament, Sir Nevil Macready wrote: "The Army Council are not concerned with the election of Members of Parliament, and when you thought fit publicly to bring a charge against Major-General Scobell, it was for you and you alone to consider what effect that charge if not substantiated [the writer here omits to state that I had publicly offered to substantiate the charge before any impartial tribunal, p. 85, Letter 3, and Note on p. 90, etc.] might have on your prospects of re-election." In this connection the opinion of Sir Edward Ward, then Secretary to the Army Council, is illuminating. In *Adam v. Ward*, when Sir Edward Ward was under cross-examination, MR DUKE put

Thereupon I wrote to Sir Spencer Ewart, asking that the Military Secretary (Sir William Franklyn) would give me an interview, but received a refusal from the latter.

At one of the many interviews I had with Sir Spencer Ewart, he had suggested that I should bring the matter forward again, when Sir William Nicholson's appointment as Chief of the Imperial General Staff expired. He did not give me any reason for his advice, but it was not hard to guess. Accordingly, as soon as Sir John French was nominated to succeed Sir William Nicholson, I sought and obtained an interview with General Allenby, my late Commanding Officer, and then Colonel-in-Chief of the 5th Lancers, who, as Inspector General of Cavalry, was serving at that time on the Staff of Sir John French, then Inspector General of the Forces. I laid the whole case shortly before General Allenby, and at his request drafted a statement of it, which I sent him to put before Sir John French. After some further correspondence with General Allenby and Major Watt, private secretary to Sir John French, in January, 1912, I had my first interview with the latter, who promised me his assistance when the case came before him officially later on.

the following question (1938): "Had you any doubt when you issued this (the libel), that it would seriously affect him whenever he became a candidate for Parliament again?" SIR EDWARD WARD: "Well, I cannot say at that moment I thought about that; but I can see that it would." (1939) MR DUKE: "You can see it would?" SIR EDWARD WARD: "Yes." Referring to my charge against Major-General Scobell Sir Nevil Macready wrote that a "thorough investigation of that charge" had been made. This statement went further than the Army Council's libel which only referred to their "investigation of the reports." (*See* p. 86, Letter 5.) Sir Nevil Macready closed his remarkable letter by stating that "correspondence with the War Office on this matter must now cease."

Having now succeeded in obtaining the good offices of the prospective Chief of the Imperial General Staff, I thought it would be advisable to solicit those of the Secretary of State for War. Accordingly on the 28th February, 1912, I had a personal interview with Lord Haldane. I gathered from him, whether rightly or wrongly, that he relied mainly for his information upon Sir William Nicholson, and that he had but little first-hand knowledge of the case. This accounted for a good deal, and also largely for the suggestions thrown out from time to time and the advice given to me by Sir Spencer Ewart. As Sir William Nicholson had never met me and had never had any opportunity of judging of my capacity professional or otherwise in any way whatsoever, it was becoming evident to me that the mystery which I could not unravel was after all probably only his idea of retaliation upon me for having done my duty in reporting his conduct from Japan through and with the approval of His Majesty's Minister accredited to that country (*see* Note C at end of this Chapter). Many things which Lord Haldane told me at our interview were very surprising, but cannot in honour be revealed. I am firmly convinced, too, that much of what I told Lord Haldane must have shaken the faith of any intelligent man in the capacity of the permanent official, if indeed he had ever been prone to entertain any. I may, without betraying any confidence, say that our interview was pleasant and satisfactory, and that Lord Haldane promised to re-consider my case and gave me instructions as to how to act, which I gladly consented to follow.

On the 15th March, 1912, the day on which Sir John French took over the duties of Chief of the

Imperial General Staff, General Allenby, in his official position as Colonel-in-Chief of the 5th Lancers, laid my statement before him and asked for a revision of the case. On the same day General Allenby wrote to me saying that the Chief of the Imperial General Staff was unwilling to move in the matter without an order from the Secretary of State for War. I at once wrote to Lord Haldane, enclosing General Allenby's letter, and the Secretary of State in reply sent me his instructions as to how to act. Upon receipt of Lord Haldane's letter, I wrote him a short reply of thanks, and also, acting upon his advice, sent him an official application for revision of the case. The Army Council in reply invited me to submit new evidence. Settlement was at last in sight.

The next day I married, and if ever the history of my married life comes to be written, it will be found to contrast strongly in its idyllic happiness with the stormy persecution carried on against me in my professional and public life. My wife and I went to Paris, staying a few days there *en route* to Spain. It therefore happened that the Army Council's invitation, which was addressed to my Bankers, was not received by me until three days after my arrival in Paris. The following day, 3rd April, 1912, I wrote an official reply stating that at the moment I had no access to documents, that I had always been unaware what evidence was before the Army Council when they arrived at their decision, but submitting some evidence which must be new, and offering to submit more, if required, upon my return.*

*I wrote: "As I have always been unaware what facts were, and were not, before the Council when they arrived at the decision referred

About the middle of April I wrote to General Allenby from Spain thanking him for his good offices, and telling him how successful they had been, as things were on the point of settlement. In his reply he expressed his pleasure at the news not only for my sake, but also for that of the regiment. (*See* Note p. 71.)

Towards the end of April I began to wonder that I had received no reply to my last letter to the War Office, as my Bankers, to whom a reply would have been sent, had my address in Madrid. Before leaving that city, therefore, for Cordova, Granada, etc., I wrote to Lord Haldane to tell him I was on the move.

We returned from Spain *via* the Riviera, Milan and the Swiss Lakes, and reached England about the middle of June. As I had received no reply to my official letter of the 3rd April I lost no time in calling upon Sir Spencer Ewart to find out how the progress of the settlement stood. He seemed surprised to hear that I had received no answer, and suggested that the best way to get the matter finally settled would be to have an interview with the Military Secretary, which Sir Spencer offered to arrange for me.

to in your letter, I would ask them to be so good as to take into consideration the difficulty of selecting facts to be submitted. Moreover, being now in Paris and leaving in a few days for Madrid, I have no immediate access to the few documents in my possession." I then proceeded to point out the material fact that I had not been shown General Scobell's report in October, 1906, as required by the *King's Regulations*, and that this fact must be new evidence to the Army Council or they would not have stated the contrary in their letter of the 21st March, 1911. [*See* p. 94.] I continued: "I am in hopes that the submission of this one fact alone will be sufficient to justify a reconsideration of the decision referred to in your last letter, but, if not, I beg that further orders may be sent to me."

On the 27th June, 1912, I had my first interview with the Military Secretary, Sir William Franklyn. Eight days afterwards I had a second interview with the same officer, and these two interviews form an important crisis in the unravelment of that mystery in which the War Office have by their archaic methods kept the case of the 5th Lancers more or less successfully wrapped. The occasion of these interviews was the first and indeed the only one, on which the War Office ceased temporarily to be the impersonal brainless machine grinding along its road, as it had always done, without regard to exterior events ; deaf to reason and impervious to truth. It became for one bright moment the human agent endeavouring in unforeseen circumstances to do its duty to the individual and to the State.

Sir William Franklyn was a stranger to me, and, though he received me most courteously, was at first rigidly formal and correct. As the interview proceeded, and the story of the case was unrolled before him, he became more sympathetic. By a simple, straightforward narrative of events I finally succeeded in gaining his warmest sympathy, and he frequently expressed to me his recognition of the fact that a great injustice had been done to me. His friendship and esteem I retained up to the day of his death two years later.*

The procedure adopted at our interviews was as follows :—

I told my story, answering the Military Secretary's questions as I went along. The first interview

*I was in constant correspondence with Sir William Franklyn up to the 27th October, 1914, on which day he died. In one of his very last letters to me he wrote : " I hope all your anxieties will find a satisfactory ending some day."

lasted about three hours. Sir William Franklyn drafted from memory a *résumé* of it, which he read to me at the commencement of our second interview and allowed me to criticize and revise. After the second interview, which lasted nearly four hours, he sent me by post a combined *résumé* of the two interviews for my approval, upon which at his request I sent him some notes and suggestions.* Besides the facts contained in the Summary and my Notes there were other points raised at our interviews, and to some of these it may be as well to make a brief allusion.

I mentioned the fact that I had received no reply to the official letter which I wrote from Paris in April. Sir William said he thought one had been sent, and searching through the correspondence he found a copy of an Army Council letter written in reply.† He read it over to himself and told me it was only couched in the usual official style, and advised that we should get on better if we disregarded it for the time being and tried whether we could not " work our way to salvation by another

*At the close of his Summary Sir William Franklyn wrote: " I (Sir W. F.) told him (Major A.) that I considered if he had remained silent in Parliament, things might have righted themselves." My official comment on this statement was: " The attitude herein expressed [*i.e.*, that I was being punished by the military authorities for what I had said in Parliament] would, if adopted, constitute a breach of Constitutional Law. It has long been recognized that freedom of discussion in Parliament is the first essential of the liberty of the subject. To take penal action against an officer in his professional capacity for performing his duty as a Member of the House is, constitutionally speaking, as dead as the Royal Veto. It has not been done since the year 1764, when General Conway was deprived of his Commission for speaking in the House of Commons against the Government on the question of general warrants. In the following year the practice was officially discontinued."

†This letter, if ever despatched, must have been lost in the very irregular Spanish post.

road." My consent to his proposal contained the implied condition that the other road should be successful.

As regards the reports rendered in 1906, he told me that General Scobell's report of October, 1906, was not received by the War Office till January, 1907. He acknowledged that all General Allenby's reports upon me, including that of 1905, had been favourable, and said that the War Office had heard nothing but good of me till after General Allenby had given up command of the regiment. He acknowledged that it was apparently an unprecedented act to call upon me to resign my commission upon a single report, whether I had seen it or whether I had not, in the face of para. 204 of the *King's Regulations* (1904) (*see* Note 3, (1) on p. 49). He said he had no other reports about me except those rendered in 1906, and a report from General Byng in 1907 to the effect that this officer had never seen me. When I asked for the report of the Inspector General rendered in 1907, Sir William Franklyn replied that he could not produce it, as he had not got it. He did not say that he had never seen it, but he suggested that it was a general report on the regiment, not specifying individual officers by name. I maintained that that might well be, but that if it was proposed to take action against individual officers upon the report, it should by the *King's Regulations* have been shown to those officers against whom action was contemplated. Sir William acknowledged that it was impossible to gainsay that fact. I also called General Franklyn's attention to the fact that the phraseology of General Scobell's report upon me which General Franklyn showed me, was different from that which I had previously seen. (*See* Note

1 on p. 48). He said he was unable to account for this, and I am certain that he was not a party to any kind of fraud in the matter.

As regards my action in Parliament, Sir William Franklyn took up, what seemed to me at the time, and seems so still, a very strange attitude, namely, that as the matter did not concern my constituency of Woolwich, it was not right for me to bring it forward. He did not deny the correctness of my action from any other point of view. He said he considered it most chivalrous and so on. I quoted Burke's words to the electors of Bristol,* and pointed out that to Woolwich, as a large military constituency, the correct administration of the army was of great importance, and that if each Member of Parliament confined himself to purely local matters, as Sir William suggested they should, there would be no necessity for Parliament. I did not, however, convince him, and on this point alone he never came to see eye to eye with me. In fact he expressly told me that in his opinion, if I had held my tongue in the House, I should have been commanding a cavalry regiment long before the time at which we were then speaking. I asked him, "What about honour?" and he replied by asking me "What about expediency?" and there we agreed to differ, as I always would with one who could place the latter on the same level as the former.

During our second interview we exchanged many points of view, and I recollect one of real importance

*"Parliament is a deliberative assembly of one nation with one interest, that of the whole; where not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You (the electors) choose a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of parliament." *Speech at Bristol*, 3rd November, 1774.

to my case. Sir William told me that his own personal opinion was that the "*fons et origo mali*" was my difference with Sir William Nicholson in Japan. (*See* Note C at end of this Chapter.) He acknowledged he knew nothing about it officially and little otherwise, but when I told him what had actually occurred, and that it was I who had reported the case home to the War Office with the approval of the British Ambassador, Sir William Franklyn expressed very genuine surprise. It was evident that the version which he had received did not correspond with the facts of the case. And there we left it. Before proceeding on his annual summer leave Sir William Franklyn wrote to me saying that he had submitted his Summary and my comments officially to the Army Council. I then wrote to General Allenby telling him what had been done, and he replied expressing his pleasure at the news.

Unfortunately since my very satisfactory interview on the case with Lord Haldane in the preceding February, the Secretaryship for War had passed into the hands of Colonel Seely. Whether he took the trouble to acquaint himself with the facts or not will never be known, but at any rate he took what seemed to him to be the line of least resistance, and declined to comply with my request. His decision was communicated to me officially in a War Office letter of the 22nd August, 1912.

Upon receipt of this letter I at once called upon a great friend of mine, who is a very well known man, a late Member of a Liberal Government, and, as I happened to know, a friend of Colonel Seely's. I put the case fully before him, and he promised at once to write to the Secretary of State for War, and ask him to give me military employment. In due

course he received a reply in an envelope heavily sealed and marked "Private and Confidential." Colonel Seely refused the request for a reason which he said he could not write, but could only tell my friend verbally in confidence. I do not know whether he ever told him, but it is probable that Colonel Seely's mysterious reason was either some secret record made by Sir William Nicholson, or my action in Parliament. Had Colonel Seely given the matter any intelligent consideration, he must have seen that either reason would be legally or constitutionally invalid. Had the reason alleged by Colonel Seely to exist been a valid one, he need have had no hesitation in informing my friend, or in communicating it direct to me.

When Sir William Franklyn returned to the War Office in September, I had another interview with him, when he expressed his sincere regret at the Secretary of State's refusal, and reiterated his deep sense of the injustice of which I was the victim. I decided that the time had arrived when I must take some other course of action to get justice from the War Office. I had waited six years for justice, and during the last two years I had exhausted every means, official and unofficial, to obtain an impartial hearing or suitable employment. Accordingly I placed the matter in the hands of my solicitor, who took Counsel's opinion. Counsel was in favour of an action for libel against the Secretary of the War Office, Sir Edward Ward, for the Army Council's letter signed and published by him in the Press. (*See* p. 86, Letter 5.) By Counsel's advice I wrote to the Secretary, again asking for leave to publish a reasonable statement, but the War Office refused permission. Thereupon, acting under Counsel's

advice, I wrote a personal letter to Sir Edward Ward, containing a similar request, but Sir Edward Ward refused to do anything in the matter. I wrote a final letter of recapitulation to Sir Edward Ward, and a few days later my solicitor served a writ upon the Defendant in the coming action.

NOTE C

WHAT OCCURRED IN TOKYO IN 1904.

Towards the end of 1903 upon the recommendation of my Commanding Officer, Colonel Allenby, I was selected with three other officers, one from each arm of the Service, to proceed to Japan to study the language and army of our Oriental Ally. After a short prescribed course of study in London I sailed for Japan travelling *via* the United States of America, and had reached Salt Lake City when I heard of the commencement of the War between Russia and Japan. I pushed on at once for San Francisco, but on arrival in that city I found to my disappointment that the boat in which I had intended to sail for Yokohama had, with all Japanese liners, been taken as a transport by the Japanese Government, and I had to remain three weeks in San Francisco waiting for a White Star Liner.

On arrival at Yokohama, I proceeded at once to Tokyo and called on our British Ambassador, Sir Claude Macdonald, and saw the Military Attaché, Colonel Hume. I asked him if I could proceed at once to Port Arthur, which the Japanese were already besieging, pointing out that I was a Staff College graduate, spoke Russian well, and already had some working knowledge of Japanese. He agreed that I should be one of the first officers to go up to the front, but said that Sir William Nicholson was on his way out from England, and that it would be best to await his arrival before final arrangements were made.

It appeared that Mr Arnold Forster, had recently constituted the Army Council, and sent all the chief officials of the War Office away. As it was necessary to find these something to do, Sir William Nicholson and others had been sent to Japan. It was an unfortunate selection, for the Japanese, who are a very courteous and well-bred nation, never understood Sir William Nicholson's brusqueness.

Anyhow there was nothing for me to do but to await his arrival, of which Colonel Hume kindly promised to send me immediate word. I found that if I stayed in Tokyo I should talk much English and little Japanese, so I determined to wait at Kamakura, a pleasant little seaside village about an hour by train from Yokohama, where I should mix only with Japanese people and could study the intricacies of their charming language without interruption.

In about three weeks' time I got a letter from Colonel Hume telling me that the boat with Sir William Nicholson on board was expected to arrive the next day. Accordingly on the following morning I set out for Tokyo, where I found that Sir William Nicholson and his Staff Officer, Lt.-Colonel Haldane, had registered at the Imperial Hotel. I sent up my card asking if Sir William Nicholson could see me. While I was waiting in the hall of the hotel, I met a newspaper correspondent, Mr B, with whom I had travelled from San Francisco to Yokohama. We were talking together when Colonel Haldane came down, and I told him what I had come for and asked if I could go to the front as soon as possible. He told me that Sir William Nicholson and he had only just arrived a few hours before, that they had had a very bad sea-journey and that Sir William Nicholson was at the moment recovering from its effects and having a bath. He told me that the General's present idea was that a certain number of officers should go to the front in three-months' reliefs, that he would note my name as having applied, and that he would let me know in due course what arrangements had been made. I thanked Colonel Haldane, who went upstairs again, while I continued my interrupted conversation with Mr B, who had been sitting by while Colonel Haldane was talking.

I returned to Kamakura, quite satisfied with the promise that had been made to me. I completed my active service kit and packed my valise ready to move at a moment's notice. I then settled down to really hard study, working sixteen hours a day in the determination to make myself proficient in the Japanese language, which, as all Europeans who have studied it know, is not an easy task.

At the same time I devoted myself to the study of the campaign which was in progress, by careful perusal and collection of the official reports, of which Colonel Hume, whom I often saw at Kamakura, gave me pretty full accounts.

Months passed on, and rumours floated to me of other officers having been sent to the front, all of whom, however, had either been longer in Japan, were of higher rank than myself, or belonged to one of the King's Oversea Dominions. One day I had occasion to visit a dentist in Yokohama, and went on to Tokyo, where I saw Sir Claude Macdonald, who to my surprise told me that a certain infantry officer, Captain H, who had arrived in Japan some months after me, and who was junior to me in service, had been sent to the front. Upon my return to Kamakura I wrote to Sir William Nicholson, mentioning the case of Captain H, and reminding him of his promise to me. I was not under Sir William Nicholson's command. I had been ordered to Japan by the War Office many months before there was any thought of Sir William Nicholson's coming out to the East. I remained directly under the orders of the War Office, as transmitted to me by Colonel Hume, the accredited official Military Attaché to Japan. I wrote to Sir William Nicholson merely as one who had asked to come under his orders by being sent to the front, and had received a promise that I should be when my turn came. In reply I was

surprised to receive a letter from him couched in very discourteous terms, and flatly denying that he had given me any such promise. I wrote back giving him particulars of how the promise had been made to me, and saying that Mr B could corroborate my statement. In reply I got a letter from Sir William Nicholson, who stated that he had referred the matter to Lt.-Colonel Haldane, and that no promise of any sort had been given to me. I replied pointing out that it was quite possible that Sir William Nicholson had no knowledge of the promise and that Lt.-Colonel Haldane had forgotten having made it, but that, in view of my statement and the evidence which could be given by Mr B, to state that no promise had been given to me was to impugn my veracity, to which by the King's Regulations I was not allowed to submit. Sir William Nicholson refused to modify his statement, and I requested him, as I was bound to do by the Regulations* to submit the matter to the War Office for settlement by superior authority. I went to Tokyo and laid the whole matter before Sir Claude Macdonald, who called it a storm in a tea-cup, but approved of my action saying that under the Regulations I had no other course open to me but the one I had taken. Sir Claude, although a diplomatist, had formerly been an officer in a Highland regiment and was therefore well fitted and able to form a correct opinion, and give profitable advice.

Having completed my full time in Japan, I passed an official examination in the language and returned to England in 1905. I rejoined my regiment at Aldershot in May of that year, having been promoted to Field Rank in the previous February. After my return to England I heard no more of the incident at Tokyo, and concluded that the Military Authorities had taken the same view as the Ambassador as to the propriety of my conduct throughout the very difficult situation in which Sir William Nicholson's uncalled-for attitude had placed me. If it be true that the Military Authorities did not take that view, it might explain, though it could not justify, much of what occurred later. If Sir William Nicholson sent to the War Office any adverse report of, or comment upon, this incident he should by the Regulations have sent me a copy before submitting it to superior authority. Such a report, if sent in by him, would not have been justified by the facts of the case, which have been here disclosed as they actually took place.

I was surprised to learn later in 1905 from Colonel Allenby that he was aware, not of the facts of the case, but of the fact that some incident between Sir William Nicholson and myself had occurred in Japan. Sir Spencer Ewart, too, told me enough to show that he had received an incorrect version of the facts. In the following year, 1906, I was ordered to resign my commission by the Army Council, of which Sir William Nicholson had meanwhile become a Member, ostensibly upon a single

*Every officer, whose character or conduct as an officer and gentleman has been impugned, must submit the case within a reasonable time to his commanding officer, or other competent military authority, for investigation. *King's Regulations* (1904) para. 417.

report, whereas the *King's Regulations* expressly lay down [para. 204 (1904)] that no official action shall be taken except after such reports have been rendered for two consecutive years. (*See* Note 3 (1) on p. 49.) In 1909 Sir William Nicholson refused my application for consideration. In 1910 Sir William Nicholson drafted the libel which the Army Council ordered to be published, and which they did not attempt to justify before a Judge and Jury. In 1912 Sir William Franklyn told me that the incident in Japan was the *fons et origo mali*, but expressed great surprise when he heard some of the true facts of the case, of which he had previously quite an erroneous conception. When he had listened to me, he told me that I had done my duty with extraordinary courage. Later, in 1915, a responsible official at the War Office informed me that Sir William Nicholson had cancelled the excellent report which I had received from General Ewart in 1910. If this is so, Sir William Nicholson acted without justification, as he had had no opportunity whatever of judging my work, the excellence of which was certified to by my own Chief, General Ewart. Such action on Sir William Nicholson's part would, moreover, be a violation of the Regulations.* No reasons have ever been given by the Army Council for their systematic refusal to consider my case, though their official explanations have been always proved and recently admitted to be incorrect. To an official application of March, 1915, asking whether any record concerning myself had been left at the War Office by Sir William Nicholson (then Lord Nicholson), no reply was returned. (*See* p. 153.)

In the autumn of 1915 Sir Neville Lyttelton who had been chief of the General Staff in 1904 told me personally he was aware that I " had fallen foul of Nicholson " in Japan. When in 1916 I directly charged Lord Nicholson with having left such a record, he could not deny it. (*See* p. 167.)

*" As soon as all the opinions of the superior officers have been entered, the report will be returned to the unit for communication by the Commanding Officer to the officer concerned, who will initial the report at the place assigned for the purpose to show that he has seen it. A note will be made in the report that these instructions have been duly attended to. Similar procedure will be followed in the case of adverse reports other than those made in the annual reports." Army Order (No. 107) on adverse confidential reports, published in May, 1908, and incorporated in *King's Regulations* (1912), para. 133.

CHAPTER VII

(February, 1914)

ADAM v. WARD

It is the first function of the law to see that no one shall injure another.—*Cicero.*

During the whole of the year 1913 the preliminaries of the Action were in the hands of Counsel, and after many delays the case came on for hearing before Mr Justice Darling and a Special Jury on the 12th February, 1914. I was represented by Mr (now Sir Edward) Duke, K.C., M.P., and Mr (now Sir) Hugh Fraser, a prominent Barrister, who has written the recognised text-book on the Law of Libel. Sir Edward Ward was represented by the Law Officers of the Crown, Sir John Simon, K.C., M.P., Attorney-General, and Sir Stanley Buckmaster, K.C., M.P., Solicitor-General, instructed by The Treasury Solicitor. The case excited much interest, not only in the army, but amongst the general public. Every day the Court was crowded to overflowing, and many were unable to obtain admission. During some of the time General Allenby with a party of friends occupied seats in the Judge's private box. The trial lasted six days, and resulted in a verdict in my favour, with £2,000 damages.

Although the nominal defendant was Sir Edward Ward, who had resigned the Secretaryship to the Army Council only a very short time before the trial, the real defendants were the Military Members of the Army Council (Sir William (later Lord) Nicholson and Sir Ian Hamilton) and the Government as represented by the Secretary of State for War (Lord Haldane).* The case affords one of the most unpleasant examples on record of the Law Officers of the Crown, whose fundamental duty is to see that justice is impartially administered to all His Majesty's subjects, striving day after day with all the art of practised advocates to defend a Government Department and a Minister of the Crown who had done a serious wrong to a loyal citizen and soldier.† The cause of action was the letter published over Sir Edward Ward's signature by the Army Council on the 5th August, 1910. This was the letter, the statements in which the Army Council in their official correspondence had characterized as "correct, complete and pertinent."‡ When, however, they were called upon to defend their own letter before a Judge and Jury, they had to admit

*Mr Justice Darling to the Jury (*Off. Rep.*, p. 626): "This is not really an action against Sir Edward Ward, it is an action against a Government Department, which has done wrong. What will satisfy you that this is not an action against Sir Edward Ward simply as Sir Edward Ward, is this, that the Law Officers of the Crown, who are appearing in the case, are not allowed to take private practice. This will shew you in what sense it is an action against the Government Department, that portion of the War Office known as the Army Council."

†Mr Duke (*Off. Rep.*, p. 621): "It is a grievous affair that the Law Officers of the Crown should come here to demonstrate the possibility that an officer in His Majesty's Army may be ruined without being heard. That is a lamentable thing." Even the Attorney General admitted (*Off. Rep.*, p. 585): "It may very well be true that as a matter of fact there has been a mistake made here. That may very well be so."

‡See Note * on page 100.

that they were unable to justify their statements, and fell back upon a defence of "qualified privilege." This course was strongly criticized at the trial,* and in the Press.†

Throughout the whole trial the difficulty that the Attorney General had, in order to give some colour to his plea of privilege, was to prove that it was the Army Council's duty to publish facts which the Army Council could not justify.‡

*Mr Duke (*Off. Rep., p.* 613): "The War Office could have come here to justify these statements. They dare not do that."

†An example is given: "When the documents and other evidence were looked into by a legal eye the impossibility of justifying the libel was perceived; in other words, the War Office had in its own possession the means of knowing that its statements were unjustifiable. So much for the 'inquiry' which Lord Haldane offered, which Major Adam wisely refused, and which was then held without the presence of the parties!

"Again, when the lawyers found that the War Office could not possibly justify its libel, what was the one right and proper thing for a Minister and officers acting in the name of the King to do? Obviously to admit their mistake, apologize to Major Adam, and make some tardy attempt to right all the wrong that had been done from the beginning. But what did the War Office do? It fell back upon the sole plea of 'privilege,' claiming, that is to say, not only the right to libel officers privately in official documents, but to disseminate such libels broadcast throughout the public press."—*Truth*, 25th February, 1914.

"If they could plead nothing better than privilege, the War Office ought not to have fought the case. An officer had been libelled by the Permanent Secretary as the agent of the Army Council. The libel could not be justified, though it certainly would have been if it could, as the history of the action in its earliest stage pretty clearly shows. When a public body in the position of the Army Council does a wrong to one of its subordinates it ought not to go into court with no better plea than a technical defence—especially one which amounts to a claim to commit such wrongs at pleasure with impunity. It ought to apologize and make amends."—*Truth*, 17th March, 1915.

‡The Attorney General (*Off. Rep., p.* 517): "The subject matter may be perfectly proper for the public to know about, although the actual things said were not true." The Attorney General (*Off. Rep., p.* 520): "It is never proper for the public to know what is not true, except in a novel or a fairy tale."

The difficulty that my Counsel had throughout was that material documentary evidence in the case, the production of which would have immediately proved my contention up to the hilt, was in the possession of the Army Council who refused to produce it, on the plea that its production would be contrary to the public interest. Time after time Mr Duke called for the production of some material document,* and was met by a refusal,† although in cases where the document seemed to help the Army Council, there was no hesitation in its production. The Army Council even refused to produce the official registers which were certainly not confidential, and which would have given contemporaneous

*Mr Duke (*Off. Rep.*, *p.* 26): "If the trial is to be a trial and not a burlesque, I take it that this document will be produced." Mr Duke (*Off. Rep.*, *p.* 92): "It may be that by the morning reflection will have brought about the view that these documents had better be produced." Mr Duke (*Off. Rep.*, *p.* 596): "Beset from day to day with the legions of the War Office with portfolios of documents out of which they will not produce a line that can help Major Adam, and out of which, by some strange accident, document after document emerges which is to help the theory that he is wrong in this case." Mr Duke (*Off. Rep.*, *p.* 600): "Those who are behind the Defendant (Army Council and Government) here, produced such documents as they thought fit, and they refused to produce the documents which would show aye or nay whether Major Adam is right."

†The Law Officers secured the attendance of Sir Reginald Brade, who had succeeded Sir Edward Ward as Secretary to the Army Council, to state the Army Council's refusal to produce the documents. When asked by the Judge to produce a certain material document (General Scobell's report) Sir Reginald Brade said (*Off. Rep.*, *p.* 71): "I raise an objection, my Lord, to producing it. I have carefully perused it, and I am satisfied that it would be contrary to the public interest to produce this document." Mr Duke, objecting that the opinion of a subordinate official was not sufficient to exclude the document, the Judge sent for Colonel Seely, Secretary of State for War, who, upon arrival, being asked to produce the document, replied (*Off. Rep.*, *p.* 93): "In my judgment it would be contrary to the public interest to produce a document of this character."

evidence of the truth or falsity of their allegations.* The Judge's opinion on the attitude of the War Office in the matter is clear.†

The Army Council's letter, which was the cause of the action, ran as follows :

"WAR OFFICE,

"*5th August*, 1910.

"SIR,

"In reply to your letter of the 8th July, 1910, asking that an enquiry should be instituted in regard to a statement made by Major W. A. Adam, M.P., in the House of Commons on June 27th, to the effect that while in command of the 1st Cavalry Brigade you rendered confidential reports on certain officers, which reports contained wilful and deliberate misstatements of fact, I am commanded by the Army Council to inform you that a thorough investigation has been made of the reports made by you at that time on certain officers of the 5th Lancers, who were afterwards removed from the regiment, and to whom it is believed that Major Adam's statement bore reference. Major Adam is himself one of these

*MR DUKE (*Off. Rep.*, *p.* 599) : "I called for the documents. I challenged them to produce the register in the General's office, and the regimental registers which are sworn to exist . . . the registers were not produced."

†MR JUSTICE DARLING (*Off. Rep.*, *p.* 19) : "There must be documents in the War Office which could be seen, because they published this" (*i.e.* the libel, which gives the purport of the documents). MR. JUSTICE DARLING (*Off. Rep.*, *p.* 95) : "Supposing the General made an absolutely unjustifiable imputation on an officer, and sent it to the War Office, it might be gravely to the detriment of the public interest that such a thing should be produced, so as to show all the world that Generals were reporting on things which they knew nothing about." MR DUKE : "I take that as a sufficient indication of your Lordship's view, and I leave the matter."

officers. The Council also thought it proper to address a letter to Major Adam on the 23rd ultimo, inquiring whether he desired to forward for their consideration any statement in amplification or substantiation of his charge against you. On the 29th idem a reply was received from Major Adam to the effect that he had written to the Secretary of State for War on the subject, but his letter of the same date to the Secretary of State is found to contain nothing pertinent to the present investigation. The Council are satisfied that not only did your reports contain the unbiassed and conscientious opinion you had formed on the officers in question, but that the conclusions at which you arrived were correct, as they were afterwards borne out not only by the opinion of your successor in command of the 1st Cavalry Brigade, but also by a special report on the 5th Lancers made by H.R.H. the then Inspector-General of the Forces, and confirmed by the General Officer Commanding-in-Chief the Aldershot Command. Further, as showing the absence of hostile bias, the Army Council note that in the case of Major Adam, who in 1906 was called upon to retire from the Service in consequence of adverse reports which were duly communicated to him, you intervened on his behalf and urged the Council to give him another chance in an extra-regimental appointment. In the result it was decided to give Major Adam this chance. I am to add that the Council are of opinion that the charge brought against you by Major Adam is without foundation.

"I am, etc.,

"(*Signed*) E. D. WARD.

To MAJOR-GENERAL H. J. SCOBELL,

"C.V.O., C B."

That this letter was a libel the Army Council made no attempt to deny.* Nor did they deny its publication in the Press.† The letter gave the contents of many of that class of documents, confidential reports, which Colonel Seely had refused to produce in the public interest.‡ In fact the Army Council by their publication of the letter did exactly what the Judge in another connection laid down they could not legally do.§ The actual authors of the letter were Sir William (later Lord) Nicholson, Sir Ian Hamilton, and Mr (now Lord) Haldane.‖

*MR JUSTICE DARLING (*Off. Rep.*, *p.* 624) : " It has not been contended by the Attorney General for a moment that on the face of it this letter of the 5th August, which was written to General Scobell and published by the War Office, is not a libel."

†MR DUKE (*Off. Rep.*, *p.* 5) : " The libel was sent out to all the Press Agencies " (*p.* 444, " One of the news agencies is an Australian news agency ; another is a news agency at the Cape "), " to a vast number of newspapers " (about 62), " to the Army Agents, and apparently to everyone in whose eyes it would prejudice Major Adam or by whose means it could be circulated to his prejudice."

‡MR DUKE to Sir Edward Ward (*Off. Rep.*, *p.* 365) : " Confidential reports are forbidden, by the *King's Regulations*, to be disclosed, are they not ? " SIR EDWARD WARD : " Yes." MR DUKE : " Did it occur to you that in this document [the libel] a series of confidential reports were set out for the condemnation of Major Adam, contrary to the *King's Regulations* ? " (No answer returned).

§MR JUSTICE DARLING (*Off. Rep.*, *p.* 222) : " The War Office must be in this position. Either they say : ' On behalf of the public we object to producing the document altogether,' or they say : ' We produce it all.' But they are not entitled to say : ' We will tell you it is a (document of such and such a description), but we will not produce it.' "

‖MR JUSTICE DARLING to Sir Edward Ward (*Off. Rep.*, *p.* 330) : " Do you know whether the letter of the 5th August was all in one handwriting ? " SIR EDWARD WARD : " Speaking from memory, I think it was. There may be some small alterations by one of the other members, but the body was in one hand-writing." MR DUKE : " Whose handwriting was that ? " SIR EDWARD WARD : " The Chief of the Imperial General Staff." MR JUSTICE DARLING : " Do you mean General Nicholson ? " SIR EDWARD WARD : " Yes." MR DUKE : " Whose were the alterations ? " SIR EDWARD WARD : " If there were any alterations, they would be, I suppose, by the adjutant general, the other military member who was concerned in the draft." MR DUKE : " Who was the

For the purpose of its composition these officials had before them all the reports on the case, of some of which they admit having made a thorough investigation. Yet the letter which is the result of their deliberations and their investigation, lasting as Mr Haldane stated, from July 9th to August 4th, 1910, was misleading in almost every particular. A brief examination of the statements made in the letter will suffice to make this clear.

A thorough investigation has been made of the reports made by you (General Scobell). This means no more than that the reports in question had been re-read, a matter of a few minutes. The word *thorough* is misleading. Without hearing both sides, no thorough investigation, or indeed any investigation at all, could be said to have been made.† Yet

adjutant general in August, 1910?" SIR EDWARD WARD: "Sir Ian Hamilton." MR DUKE: "As I understand the matter, a document of this kind which comes to you must have the initials upon it of the members of the Army Council who vouch for it?" SIR EDWARD WARD: "Yes." MR DUKE: "What initials had this document upon it?" SIR EDWARD WARD: "It had the initials of Sir William Nicholson, Sir Ian Hamilton, and the Secretary of State, Mr Haldane."

†MR DUKE, to Sir Edward Ward (*Off. Rep., p.* 342): "The thorough investigation which is referred to in the letter" (*i.e.*, the libel) "is an investigation consequent upon General Scobell's complaint?" SIR EDWARD WARD: "Yes." MR DUKE: "Was General Scobell heard before the Army Council?" SIR EDWARD WARD: "No; at least I suppose he was not." MR DUKE: "Did Major Adam have an opportunity of attending before them?" SIR EDWARD WARD: "I do not know. I should not think so." MR DUKE: "Tell us what you are going to say." SIR EDWARD WARD: "So far as I am aware, none of these officers were called." MR DUKE: "Did you not know, as far as moral certainty goes, that neither of them had been heard?" SIR EDWARD WARD: "As far as I knew, neither of them had been heard."

Mr Haldane had stated that an investigation had been made in conformity with the *King's Regulations*,* and the Army Council had stated that a "thorough investigation of that charge" had been made. (*See* Note on p. 101.)

Removed from the regiment. The officers were placed upon half-pay. That the expression used by Sir William Nicholson is stronger than the fact justified was admitted by Sir Edward Ward.†

Major Adam is himself one of these officers. Here commences the personal defamatory attack upon myself. A reference to my speech in the House on the 27th June, 1910 (*see* p. 75 and Note) makes it clear that I asked for an Inquiry for the sake of Captain W., my brother-officer. No Inquiry such as I asked for could have benefitted me, or given me the re-instatement which it would certainly have given to my brother-officers.‡ In fact Sir

*In the House of Commons on 22nd November, 1910 (*see* Note on p. 90).

†MR DUKE to Sir Edward Ward (*Off. Rep., p.* 352): "It is a little more damaging to say that Major Adam has been removed from his regiment, than to say he has been put on half-pay?" SIR EDWARD WARD: "I should say so." MR DUKE: "It is more comprehensive?" SIR EDWARD WARD: "It is more comprehensive."

‡By election to the House of Commons I placed myself automatically upon half-pay and there I should remain. When cross-examined in this connection by the Attorney General upon what General Scobell had said about me in his report, I replied (*Off. Rep., p.* 255): "It did not matter two straws to me what he had said. I had left the Army, as I thought for good."

Edward Ward admitted that this letter to General Scobell was used by the Army Council as an instrument with which to attack me.*

His (Major Adam's) letter of the same date (29th November) is found to contain nothing pertinent to the present investigation. A reference to this letter (*see* Note on p. 85, Letter 3) will show that it denied the competency of the Army Council to deal with the case by an epistolary Inquiry, which would be unfair to Major-General Scobell, and would command the confidence neither of Parliament nor of the public.

The Council are satisfied that not only did your reports contain the unbiassed and conscientious opinion, etc. As far as I know General Scobell's report contained no expression of opinion, but it did contain, as I have always asserted, mis-statements of fact (*see* my speech in the House, p. 75). Sir William Nicholson here deliberately avoids the issue.

The conclusions at which you arrived were borne out by the opinion of your successor in command of the 1st Cavalry Brigade (Brigadier-General Byng). This is untrue.†

*MR DUKE, to Sir Edward Ward (*Off. Rep.*, p. 347): "This letter is directed to Major Adam's case?" SIR EDWARD WARD: "Yes."

†MR DUKE (*Off. Rep.*, p. 8): "What opportunity General Byng could have had for forming conclusions I do not know. Major Adam had not served under him, and had no sort of subordination or active military duty to General Byng." MR DUKE to Major Adam (*Off. Rep.*, p. 87): "Had you been brought in any way into communication with General Scobell's successor, General Byng, at that time?" MAJOR ADAM: "No, I never saw him. I never saw General Byng." MR JUSTICE DARLING: "Do you mean you never have seen him?" MAJOR ADAM: "No, I never have seen him." MR DUKE: "You say you have never seen him?" MAJOR ADAM: "No." MR DUKE: "Nor received any communication from him?" MAJOR ADAM: "None." MR DUKE, to Sir Edward Ward (*Off. Rep.*, p. 345): "Take the report of General Byng. He succeeded General Scobell, did he not?" SIR EDWARD WARD: "He did." MR DUKE: "Do you know he never commanded the brigade

A special report of the 5th Lancers made by His Royal Highness the then Inspector General of the Forces. This is the first mention ever made of this report, which was undoubtedly written by Major-General Scobell,* and appears to have been a general report upon the regiment since Colonel Graham took over the command. The Duke of Connaught had never seen the regiment.†

Absence of hostile bias. I had never suggested that hostile bias was the motive force governing General Scobell's actions. In this instance what prompted him was genuine regret for his negligence, and terror of the possible results of it. (*See* p. 51, and Note).

while Major Adam was there ?" SIR EDWARD WARD: "I do not know." MR DUKE: "Just let us see about that. You have given me the date when Major-General Scobell was promoted and appointed Inspector of Cavalry ?" SIR EDWARD WARD: "Yes." MR DUKE: "That was May, 1907 ?" SIR EDWARD WARD: "Yes." MR DUKE: "General Byng succeeded him ?" SIR EDWARD WARD: "Yes." MR DUKE: "Major Adam was at the War Office at that time, was he not ?" SIR EDWARD WARD: "Yes." MR DUKE: "Were you not aware that he was at the War Office ?" SIR EDWARD WARD: "I was." MR DUKE: "So that General Byng could not have reported upon him as brigadier with any personal knowledge of his performances in the regiment ?" SIR EDWARD WARD: "No." (Surprise in Court). MR DUKE, to Sir Edward Ward (*Off. Rep., p.* 365): "It" (the libel) "states what the confidential report of General Byng was ?" SIR EDWARD WARD: "Yes, the conclusions." MR DUKE: "That is, that he condemned Major Adam if this is true ?" SIR EDWARD WARD: "Yes." MR DUKE: "Although Major Adam had never been an officer under his command ?" (No answer returned). The Attorney General avoided re-examination on this point. *See* also page 107.

*MAJOR ADAM (*Off. Rep., p.* 199): "The Inspector General's report was written by his Cavalry Inspector, who was Major-General Scobell."

†MAJOR ADAM (*Off. Rep., p.* 199): "The Duke of Connaught never saw the regiment, and knew nothing about me or anyone else in the regiment. He has to trust in these matters to his Inspector-General of Cavalry. There is no other way for him to get the information. As Major-General Scobell had become Inspector-General of Cavalry in May, 1907, he was the man to report."

Major Adam, who in 1906 *was called upon to retire from the Service.* No mention is made of the fact that the Army Council issued this unwarrantable order in known violation of the *King's Regulations*. The circumstances and chronology of events are now well known by the public, but they were not when Mr Haldane published the libel. By a clever inversion of events it was made to appear that I was, with other officers, "removed from the regiment" and afterwards to have been found so inefficient as to be "called upon to retire from the Service." In this connection Sir Edward Ward's admissions are of interest.*

In consequence of adverse reports which were duly communicated to him. This is untrue, as the Army Council have since acknowledged. Sir William Nicholson knew, and had before him when he wrote independent contemporary documentary evidence to prove that of all the reports rendered during the course of two years by various officers over various signatures, not a single report had been "duly communicated" to me, or apparently to any one of the officers of the regiment. The Army Council decided to order me to retire in November, 1906. The only adverse report that I have ever seen did not reach the Army Council till January, 1907. The report on which they acted I have never yet seen.

*MR. DUKE, to Sir Edward Ward (*Off. Rep.*, p.* 358): "It is worse to be called upon to retire from the Service than it is to be removed from your regiment, is it not?" SIR EDWARD WARD: "Yes, I should think so." MR DUKE: "It is a different thing?" SIR EDWARD WARD: "Yes." MR DUKE: "It is a more extreme step?" SIR EDWARD WARD: "Yes." MR DUKE: "And involves a greater condemnation?" SIR EDWARD WARD: "Yes." MR DUKE: "And with the kind of person who is not very familiar with military life, it is more calculated to hurt than the other, is it not?" SIR EDWARD WARD: "Yes."

Urged the Council to give him another chance in an extra-regimental appointment. Sir William Nicholson omitted to mention what the nature of the extra-regimental employment was.*

The Council are of opinion that the charge brought against you by Major Adam is without foundation. This statement is evidently, from its position almost as a postscript, an afterthought, yet it is the only statement in the whole letter pertinent to its object. It is one which the Council had no right to make, for Sir William Nicholson knew that no serious investigation had been held, no witnesses heard, no evidence read. I had stated in Parliament that a report or reports rendered by Major-General Scobell contained wilful and deliberate mis-statement of fact. To that statement I adhere. It is true for all time. At the trial the Army Council did not attempt to justify their statement that Scobell had written what was true.†

*MR DUKE, to Sir Edward Ward, who had just said that he thought I deserved the whole letter. (*Off. Rep.*, *pp.* 361-2): "Do you think Major Adam deserved to be put in this position, that when he had been given a lucrative post, relatively, and a staff appointment, it should be said about him: 'The Army Council gave him another chance.' Do you think that was fair to him?" SIR EDWARD WARD: "No." MR DUKE: "Do you say he deserved to have it put in this manner which might mislead people?" SIR EDWARD WARD: "No." MR DUKE: "Really Major Adam, when he was transferred from a cavalry majority to a staff appointment at the War Office, was getting what in substance would have been regarded, except for the circumstances, as a very good bit of promotion?" SIR EDWARD WARD: "As promotion, certainly." MR DUKE: "Can it be thought to be fair to describe a man's promotion as giving him another chance?" (No answer). MR JUSTICE DARLING, to Sir Edward Ward: "Well?" (No answer). (Sensation in Court). MR DUKE: "I will leave it."

†MR DUKE (*Off. Rep.*, *p.* 3): "In the year 1906, in the autumn, a confidential report was rendered with regard to Major Adam. It was absolutely untrue." And then he challenged the other side: "I do not think anybody will profess in this case to set it up as a statement of truth."

One point which I was glad to have the opportunity at the trial of making perfectly clear was that General Scobell was not at heart a bad man, or a man actuated by malice against anyone. He was a weak man, easily influenced by others, incapable of forming an independent judgment, and not possessed of a sufficiently high degree of intelligence to realise what the result of his actions might be. He had been placed by the military authorities in a position for which he was unfitted, but for this he was not to blame. Had any Court of Inquiry been held it would have been made perfectly clear that he was the ready tool of another, who made use of his name for a sinister purpose.*

MR DUKE (*Off. Rep., pp.* 598, 615): "General Scobell's statement contained false statements of fact—this is uncontradicted and unchallenged evidence. False these statements were—sworn to and not cross-examined to." THE ATTORNEY GENERAL (*Off. Rep., p.* 567): "I have never said, and I do not say, that they (*i.e.*, the reports rendered by General Scobell) were true."

*MAJOR ADAM (*Off. Rep., p.* 203): "General Scobell could have applied to have his Court of Inquiry, and if a Court of Inquiry had been held he would have been absolved of all malice or any intention of that sort, and the real blame would have been brought home to the man who had verbally reported to him what he carelessly and negligently wrote in his report and signed with his name." MR JUSTICE DARLING, to Major Adam (*Off. Rep., p.* 204): "When you read out this type-written thing, why did you not begin it with 'Colonel Graham of the 5th Irish Lancers did,' and so on, instead of saying that Major-General Scobell did it?" MAJOR ADAM: "Because I have seen the report, and Colonel Graham's was not practically a bad report, but Major-General Scobell's report, the report which he rendered to a superior authority, did contain deliberate mis-statements of fact. These statements of fact were such that he could not on his own observation have made them, they must have been, as Sir John Simon knows—he has probably seen the report—they must have been verbally made to him by Lieutenant-Colonel Graham, and that would have come out on any Court of Inquiry." MAJOR ADAM (*Off. Rep., p.* 200): "Major-General Scobell had no malice against any body." THE SOLICITOR GENERAL (Sir Stanley Buckmaster): "Let us take that down: 'Major-General Scobell had no malice against any body.'" When pressed further by the Attorney General as to the extent of my reflection

As the claimant in the action, I was the only witness, and during my examination, which lasted three days, the story was revealed as far as possible, the Law Officers of the Crown (Sir John Simon and Sir Stanley Buckmaster) objecting on every possible occasion to the production of documents and evidence. On no single point was my evidence shaken.

For the defence, Sir Edward Ward gave evidence. He was only in the box for a short time, during which an expert analysis of his evidence shows that he contradicted himself upwards of forty times,* and made many statements which were wholly incorrect.† As, however, Sir Edward Ward was only used as a whipping boy by the Army Council, his evidence is of little personal importance. He had to admit that he knew I had been most unfairly treated by the Army Council.

The surprise of the whole trial occurred at the conclusion of Sir Edward Ward's examination. Sir

upon what General Scobell had done, the Judge intervened thus: MR JUSTICE DARLING, to the Attorney General (*Off. Rep.*, *p.* 258): "He (Major Adam) makes this reflection that he (General Scobell) wrote recklessly and carelessly.' THE ATTORNEY GENERAL: "If you please." MAJOR ADAM: "I go a little further than that, if you will allow me. He wrote recklessly reports which he knew would ruin the career of officers under his command, and he neglected to carry out the Regulations, which say that he must show those to the officers before sending them on."

*It is not necessary to give more than one example. The five officers of the 5th Lancers having been placed on half-pay as the immediate effect of the report on the regiment written by General Scobell, signed by the Duke of Connaught and rendered in September, 1907, Sir Edward Ward was asked by SIR STANLEY BUCKMASTER (*Off. Rep.*, *p.* 311): "Had you any knowledge of the reports and circumstances which led to that step (*i.e.*, the placing on half-pay) being taken?" SIR EDWARD WARD: "No." Later when he was asked by MR JUSTICE DARLING (*Off. Rep.*, *p.* 366): "Have you read it (the Duke of Connaught's report)?" SIR EDWARD WARD: "I read it carefully. I can give the purport of it."

†MR DUKE (satirically) to the Judge (*Off. Rep.*, *p.* 353): "If I may say so, Sir Edward Ward is an excellent witness."

John Simon, who might have called upon Colonel Graham* or Lord Haldane, or Lord Nicholson, or Sir Ian Hamilton,† any one of whose evidence would have had immediate bearing on the points at issue, chose to call upon Field Marshal Sir John (now Viscount) French whose evidence must, and indeed proved to, be irrelevant. Legally Mr Duke could have objected to the witness, and the Judge would have been right in supporting his objection, but my Counsel preferred to take a broader view of the case in the interests of the army, and of truth, and raised no objection. Had I conceived it possible that Sir John French's memory was going to commit him to irrelevant statements for the immediate refutation of which my Counsel was unprepared, I might at the time have taken a different view as to the advisability of allowing Sir John French to give evidence. But I suspected nothing. I did not think that Sir John French was capable of saying behind my back anything contrary to what he had

* In the course of the trial the Jury sent a note to the Judge asking why Colonel Graham had not been called. Whereupon Sir Edward Ward was examined by the Attorney General (*Off. Rep., p.* 422): "Can you tell the Jury where Colonel Graham is?" "At the present moment he is in Sierra Leone." "Is he any longer in Army employ?" "No." "What is his present position?" "I understand he is practising at the Bar in Sierra Leone." Cross-examined by Mr Duke. "Do you know that there is a process by which a commission can issue, to take evidence of a witness at a place like Sierra Leone?" "I believe there is." "You believe that is so?" "I have heard of it." "As it is revelant to this matter, I think I ought to ask you this. Your solicitor here is Solicitor for the Treasury?" "Yes." "And your Counsel are the Law Officers of the Crown?' "They are." MR DUKE: "May it please your Lordship."

†MR DUKE (*Off. Rep., p.* 616): "The Defendant could have called them (the three mentioned), if he thought they could help his case?"

said to my face,* nor did I imagine that his memory was so defective as his sworn evidence proved it to be. In order to realize my estimation of Sir John French at the moment when he stepped into the witness box, it may be well to recapitulate my previous association with the Field Marshal.

The first time I came under Sir John French's command was on the 31st October, 1899, when I joined his cavalry brigade of four regiments in Ladysmith. The Boers were encircling us and we were about to be besieged. On the 2nd November Sir John French and his personal staff escaped from Ladysmith a few hours before the final investment, and I did not again come under his command till 1902 in Cape Colony, where I was in command of the Headquarters of my regiment. When I returned from Japan in May, 1905, and took over command of my Squadron at Aldershot, I again came under Sir John French's command and close supervision. That year Sir John French saw my work during Squadron Training, Regimental Training, Brigade Training and Divisional Manœuvres, and in October, 1905, rendered to the War Office an excellent report upon me, endorsing that of the Regimental Commander, Colonel (now Field Marshal Viscount) Allenby.† During Winter Training Sir John French had further frequent opportunities for observation,

* MAJOR ADAM (*Off. Rep., p.* 188): "I should never have thought that Sir John French would have sent a letter or report to the War Office without communicating it to me." MAJOR ADAM (*Off. Rep., p.* 245): "I do not suppose Sir John French would say anything behind my back that he would not say to my face."

†MR DUKE (*Off. Rep., p.* 9): "The annual report of him (Major Adam) in 1905 by his Commanding Officer, Colonel Allenby, was undoubtedly a favourable report." SIR JOHN FRENCH, to Mr Duke (*Off. Rep., p.* 394): "I certainly heard no adverse report from General Allenby about him (Major Adam)."

and again during the Spring Drills and Squadron Training. At the conclusion of the Training of my Squadron in May, 1906, Sir John French accompanied by his Chief of the Staff, Colonel (now Lt.-General Sir Archibald) Murray held an official inspection of my Squadron, and subjected every officer, man and horse to the closest personal examination, at the conclusion of which Sir John French publicly on parade before the Brigadier (Major-General Scobell) and Regimental Commander (Lt.-Col. Graham) complimented me highly upon the results which I had achieved.* Between this date in May and the 18th June, 1906, Sir John French never saw my Squadron on parade, as we were engaged in the

*MR DUKE (*Off. Rep., p.* 12): "There was an inspection of the regiment at Aldershot by the General Commanding at Aldershot, Sir John French, and Sir John French at that time, in either May or June, 1906, openly complimented Major Adam upon the efficiency and fitness of his Squadron and of the officers, men and horses in it." MR DUKE, to Major Adam (*Off. Rep., p.* 66): "Did General Sir John French, who was the General Commanding-in-Chief at Aldershot, inspect the 5th Royal Irish Lancers?" MAJOR ADAM: "He inspected us squadron by squadron." THE SOLICITOR GENERAL: "Is this in 1906?" MR DUKE: "Yes." (To Major Adam) "What took place, as far as Sir John French is concerned, with regard to your squadron?" MAJOR ADAM: "He was very pleased with it; he congratulated me on the spot on the efficiency of the men and the condition of the horses, and I told him I had a very good lot of officers, non-commissioned officers and men." MR DUKE, to Sir John French (*Off. Rep., p.* 392): "Do you remember the instance Major Adam mentioned in his evidence, when you complimented him on the condition of his squadron, at an inspection in the summer of 1906?" SIR JOHN FRENCH: "I have no recollection of it whatever, but I may say that I do not think it is by any means impossible." MR DUKE: "I hope not?" SIR JOHN FRENCH: "I mean to say that I think it is extremely likely, that on that occasion I may have seen the squadron, and that it was being very well worked on that particular morning. I might have thought the horses were looking very well, and the men were riding very well, and have certainly told Major Adam so." MR DUKE: "And paid him the compliment such as you would pay to a commanding officer of a properly cared for squadron?" SIR JOHN FRENCH: "Certainly."

annual course of musketry and other duties. On the 18th June occurred the incident on parade related on page 41. On the following day I took over command of the Reserve Squadron of my regiment which did not attend parades. On the 11th November I received the Memorandum from Sir John French mentioned on page 44, and on the 14th December I left his command.* On the 22nd March, 1911, I was informed by the Army Council that Sir John French had reported to them upon me on the 3rd November, 1906. This was the first intimation I had that Sir John French had ever rendered any report at all. (*See* p. 95.)

Yet at the trial, at the request of the Government, Sir John French came forward to endeavour to attack me in a professional capacity and to give evidence to show that his opinion was the result of his own observation.† From a military point of view it was at least an " unsportsmanlike " thing to do. From a legal point of view it was stigmatized by an eminent K.C. as sharp practice, because by the rule of the Courts I was debarred from calling upon General Allenby or anyone else to refute evidence given after the case for the plaintiff had closed. From another point of view, I shall say no more than that it disclosed a deplorable memory.

It will be remembered that in December, 1907, the Army Council had issued to the Press a communiqué stating that the five officers of the 5th Lancers who had been placed upon half-pay " were

*MAJOR ADAM (*Off. Rep.*, *p.* 245) : " Sir John French's only conversation with me was highly laudatory, when he saw my squadron, the last time he saw it."

†Yet when further pressed upon this point, Sir John French in an access of honesty, exclaimed : " I consulted . . . (*Off. Rep.*, *p.* 377), but was immediately interrupted by Sir John Simon, and asked another question.

not considered suitable to retain their positions as officers in this cavalry regiment," (*see* p. 57). This communication, without further explanation, was an improper one to make, and was the first and only intimation of the sort that I ever saw. It will be remembered that no Commanding Officer and no General Officer had ever found any fault with me,* or as far as I know with my brother officers, and it was reserved for me as a surprise to hear from the lips of one of the men responsible for the whole scandal, some seven or eight years after the event, that he had formed an adverse opinion on the capacities of all the senior officers of the 5th Lancers except the Officer Commanding the regiment. This question of suitability or non-suitability for the cavalry seems to have originated at the War Office. Certainly in the reports of Colonel Graham and General Scobell, however erroneous General Scobell had acknowledged his reports to be, this question was not raised. Nor as far as I know was the expression ever used by Sir John French in any report; he certainly never used it in his evidence at the trial. He hinted, he suggested, that mistakes had been made, yet when pressed he talked only of a collective impression and could not specify a single instance.†

*When asked by Mr Duke the date on which I had first heard of this, my reply (*Off. Rep.*, *p.* 280) was: "Last Friday was my first intimation" (*i.e.*, on the 13th February, 1914).

† MR DUKE, to Sir John French (*Off. Rep.*, *p.* 391): "Could you tell the Court what the mistake was which left an impression on your mind?" SIR JOHN FRENCH: "It is rather difficult to speak of what particular instance I remember, especially at this distance of time. I can only speak of the general impression which was left on my mind." MR DUKE: "I am not asking you about a collective impression. I am dealing with a particular instance?" SIR JOHN FRENCH: "Not a particular one." MR. DUKE: "I am right in saying that there is none which has left such an impression on your mind, that you can identify it?" SIR JOHN FRENCH: "I can give you no particular instance at this distance of time."

The real fact is that whatever report Sir John French sent to the War Office on November 3rd, 1906, was based solely on the report which he received from Major-General Scobell on the 7th October. It will be remembered that the Memorandum which he sent to me on the 11th November (*see* p. 45), stated this explicitly. In fact the whole evidence of Sir John French disclosed a deplorable memory of fundamental facts. He frequently used expressions of doubt, uncertainty and hesitation.* Sometimes his memory was so much at fault as to lead him, even though he was on oath, to make statements which were contrary to truth. For example, he stated (*Off. Rep.*, *p.* 313) that the 5th Lancers were under his command at Aldershot in November, 1907, whereas they had left that station in the previous September. His memory as regards material dates was peculiarly defective.† Some of his sworn statements on matters about which he had had recent opportunity to refresh his memory were peculiarly instructive.‡ Sir John French from

*" I am talking to the best of my recollection," (*Off. Rep.*, *p.* 388). " At this distance of time I cannot say more than that," (*Off. Rep.*, *p.* 388). " I cannot tell you exactly," (*Off. Rep.*, *p.* 391). " It is very difficult for me to remember it at this distance of time," (*Off. Rep.*, *p.* 391). " I am not quite sure," (*Off. Rep.*, *p.* 394). " I cannot say exactly," (*Off. Rep.*, *p.* 395). " I find a difficulty in answering," (*Off. Rep.*, *p.* 396). " I have no recollection about it," (*Off. Rep.*, *p.* 397).

†Sir John French (*Off. Rep.*, *p.* 394): " Colonel Allenby was only a short time at Aldershot. I think he gave up command of the regiment very soon after I came." But Sir John French came to Aldershot in September, 1902, and Colonel Allenby in September, 1904. The latter left Aldershot in October, 1905, *i.e.*, more than three years after Sir John French came there.

‡The Attorney General to Sir John French (*Off. Rep.*, *p.* 378): " Major Adam has told us that his impression is " (my words were " I am absolutely certain," *Off. Rep.*, *p.* 221, and elsewhere) " that he never saw a copy of that report of yours; what do you say about that?" Sir John French: " Well, I am morally sure that he did see a copy of it."

his military position and length of service might be expected to have some knowledge of the administration of the army, but his memory on its elementary details was peculiarly defective.* At the time of the trial Sir John French was Chief of the Imperial General Staff and issued the orders to the army. Just four months previously, in October, 1913, he had issued an Army Order (No. 340) directing that all reports on officers, whether adverse or favourable, shall be shown to them and initialled by each. Yet Sir John French repeatedly denied on oath any knowledge that such an Order was in force.† If Sir John French is unable to recollect one of his own Orders, of great importance, issued by him only four months previously, it is scarcely possible that a jury or the public can attach much value to his recollection of what had occurred eight years before.

THE ATTORNEY GENERAL: "Why do you say that you are morally sure that he did?" SIR JOHN FRENCH: "Because I have seen a memorandum of his and a signature of his to that effect." *No such memorandum was ever written or signed by me.*

*One example, that of the Regulations governing the communication of an adverse report to the officer concerned, will suffice. Sir John French said its communication was "comparatively modern," "quite modern," "within the last ten years." (*Off. Rep.*, *p.* 400). In the Army Regulations for 1873 it is officially laid down that any officer adversely reported on is to be informed of the particulars. It had therefore not only been the custom of the army to communicate an adverse report, but it had been the Official Regulation for over forty years.

†MR JUSTICE DARLING, to Sir John French (*Off. Rep.*, *p.* 400): "Is it the practice now to show a report (*i.e.*, to the officer concerned) whether it is favourable or unfavourable?" SIR JOHN FRENCH: "That is practically under consideration at the present moment, but it is not quite decided." MR JUSTICE DARLING: "I was under the impression they showed them?" SIR JOHN FRENCH: "I think it is left more or less at present to the commanding officer's own discretion, and there is a question before the Army Council now as to whether it should not be made an order." MR JUSTICE DARLING: "If it is a favourable report he may show it to the officer, but he is not at present bound to do so?" SIR JOHN FRENCH: "Yes, that is so."

In the event it proved that no advocacy by the Law Officers for the Crown; no witnesses they called; no unfair production,† no misleading combination of documents (*see* Note on p. 96), etc., could blind the Jury to the fact that the Army Council had published a false and malicious libel upon me, and they brought in a unanimous verdict in my favour.

Eleven jurymen wished to give me damages of between £30,000 and £40,000 recognizing that such a figure alone would in any sort recompense me for the enormous pecuniary loss and injury which had been inflicted upon me by the Army Council. One of the twelve, however, would not agree, as he was not convinced that Sir Edward Ward would not have to pay the damages out of his own pocket. This juryman assessed the damages at the modest figure of £2,000, and finally after trying to dissuade him for nearly two hours, the jury had to return to Court with a verdict in my favour, and damages assessed at that amount.

After the verdict most of the jurymen came to shake hands with me and express their great personal sympathy, apologizing for the inadequacy of the damages. After all, the principle was the main thing, and that had been established for all time to the lasting satisfaction of all honest men, namely that no body of men in office, such as the Army Council, could with impunity ruin a loyal servant of the Crown, break their own Regulations, and deny him for ever the justice which was his due.

† Mr Duke (*Off. Rep., p.* 388): "Until the latest stage of this case, the Plaintiff has been prevented from having any of these documents and it is impossible to conduct the Plaintiff's case fairly to the Plaintiff if they are introduced on the part of the Defence at a late stage in the course of the Defence."

England thought with satisfaction that this elementary principle which is contained in the clauses of Magna Charta, had been re-affirmed and more firmly established.

How the Army Council continued once more to evade its responsibility and escape the penalty due to it is described in Appendix I, page 179.

CHAPTER VIII

(1914-1917)

THE WORLD-WAR

They also serve who only stand and wait.—*Milton.*

No sooner was the result of the trial published than congratulations began pouring in from all sides. They came by wire, by post, by hand. They came from relatives, from friends, from acquaintances, from strangers. They came signed, they came anonymously; they came from men, from women, from old, from young, from peers, from commoners, from soldiers, from civilians, from barristers, from politicians, from journalists, from high, from low; from all sides of the United Kingdom, from the Dominions, from foreign countries.*

*A few specimens are given:

FROM A PEER: "If your success will have any effect, as I have no doubt it will, in obtaining a fairer system of confidential reports, the Service will owe you a considerable debt of gratitude."

FROM A MEMBER OF PARLIAMENT: "My warmest congratulations to you on having destroyed a most intolerable system."

FROM A CABINET MINISTER: "Need I say how very pleased I was to read of the result of your trial. It is very satisfactory to have vindicated your position."

FROM A RELATIVE: "All manner of congratulations on successful ending of your trial. I always maintained that the refusal of '*audi alteram partem*' would not be allowed by any jury." (MR DUKE (*Off. Rep., p.* 5): "Major Adam has never been heard upon this matter from first to last.")

They were all very gratifying, but perhaps the most pleasing of all were those from my late constituents at Woolwich,* from officers on the active list,† and

FROM AN EMINENT BARRISTER: "Splendid and right triumphant! Congratulations! I was not at the verdict, but I could see that Duke had beaten Simon hollow before I left the Court. You are famous. I take it Haldane is really to blame. Still I scarcely hoped for such a tremendous defeat of the Army Council. You should have had ten times the sum they awarded in damages. I think it will give a knock-out blow to the really iniquitous way in which the plea of privilege is so often put forward by the Crown. I admire the fine courage with which, single-handed, you have fought the whole resources of our 'Government,' if indeed the word is an any sense applicable."

FROM A WELL-KNOWN JOURNALIST: "Yours is a case which for constitutional importance has not been matched since the days of Junius and Lord Mansfield."

FROM A FRIEND: "Well done! splendid! Your quiet dauntless courage should be a real lesson to all narrow-minded men and women. I suggest you put up a statue in front of the War Office in the best classical style of Adam. That good man has been neglected in London. One is sick of Nelson and Cromwell and Quintin Hogg and all the other Kings of England, and the first man in the land left out."

FROM A STRANGER: "Sincere congratulations in common with many thousands of Englishmen. I am as pleased at your victory as if I had won the case myself."

ANONYMOUS: "The army which is certainly on your side is fortunate in having someone bold enough and able to expose the shady behaviour of persons in high position." (*Signed*, "NEC ASPERA TERRENT.")

*A few specimens are given:

"As Victor Hugo once wrote to a friend, 'I send you a shake of the hand from the bottom of my heart.'"

"I do not know of any case in which a verdict has been obtained by an officer except by yourself."

(Western Australia). "Well played, Sir, well played indeed! When I read the news of your £2,000 victory, I was as pleased as if I had got it myself. Your signed photograph as of yore occupies a prominent place in my drawing-room. Will you please convey my respectful congratulations to Lady Antonia, and to yourself I wish the best of luck and happiness. Amongst us few Woolwichers here you will always occupy a pinnacle."

"No soldier or sailor ought to be damned in private, refused all redress, insulted, degraded, and all this by men who dare to use, and shelter themselves behind the Royal Prerogative, and plead 'the interests of the Service!'"

officers, non-commissioned officers and men of the 5th Lancers who had served with or under me, many of whom were still with the regiment.* Especially gratifying was the formal Resolution passed

" Since I have known you publicly, I have always admired you as a man and a thoroughly honourable gentleman."

" No doubt this law suit has served the purpose of demonstrating to the world that you are a brave and distinguished soldier. But to those who understood you best at Woolwich, no such demonstration was necessary. We knew it all the time."

" I earnestly wish I were congratulating you on your success as our Member, a place which all your supporters feel no one can fill so honourably as yourself."

" We are so glad, but we do wish you would came back again to Woolwich."

†A few specimens are given :

FROM FRIENDS :

" You have done a noble work in showing up an iniquitous system, and it will be a great relief to the officers of the army." (COLONEL.)

" You have done the British public an immense service by exposing the methods of Government Departments, which, if allowed to continue, will prove exceedingly injurious to the public interest." (MAJOR.)

FROM STRANGERS :

" I was on General . . .'s Staff for about three months the summer that your regiment was at . . . It was of course well known how brilliant a regimental officer you were, and how hopelessly inefficient Graham was."

" The whole army, at least that portion of it composed of gentlemen, will join in my hearty congratulations."

" Every officer in the army owes you a debt of gratitude."

" Every honest soldier in our army is congratulating you to-day. The shameless system to which you have now dealt so smashing a blow deprived the army of one of its most efficient officers when you left, but somehow I cannot help thinking now that it was for the best, and that a man of your strength of character and brilliancy can do more good as a modern Hercules."

*A few specimens are given :

FROM AN OFFICER : " I congratulate you most heartily upon your pluck, perseverance and victory. Your case will be a classic. I couldn't get into the Court, although I should like to have supported my Squadron Leader of 1895."

FROM AN N.C.O. : " Allow me to congratulate you on your splendid victory. I was Squadron Quarter Master Sergeant of C Squadron when you were in command of it. I am glad you got the best of the War Office ; it wants a bit of doing."

by the Old Comrades Association of my regiment.* Such a Resolution was clear evidence of the Army's distrust of the Army Council and of the system which did so much to impair one of the greatest national assets, regimental *esprit de corps*. Under such a flood of congratulations one realized that one had done something for the army, that, even if one were to die to-morrow, one had struck a blow for justice and for truth.

One of the most pleasing congratulations was conveyed in the spontaneous words of a stranger, who was a Member of my Club. One day I was writing an important letter in the writing room of the Carlton Club, when I became aware of a man striding across the room towards me, and looking up I saw that he had stopped suddenly in front of the table at which I was writing, and that he was holding out his hand. I placed mine in it, and he shook it heartily. "I felt I had to shake you by the hand," he said in a quick jerky fashion, "you have done a great work for the country. Stick it out." Almost before I realized the situation, the man had turned away, and the door had closed behind him. I was alone. The man, whom I had known only by sight, was the late Sir Thomas Bucknill, Judge of His Majesty's High Court. Thou

FROM A TROOPER: "As an old member of C Squadron, 5th Lancers, allow me to offer you my sincere congratulations on your splendid victory in the Law Courts."

* "SIR, I am requested by the Old Comrades, 5th Lancers, to convey to you a resolution passed at a meeting held on the 10th inst.:

'Congratulations on your verdict obtained against the Army Council.'

"Yours respectfully,

"(*Signed*) . . . . (*ex-Sergeant Major*),

"*Hon. Sec. of the 5th R. I. Lancers Old Comrades' Association.*"

hast since passed beyond the barrier of death, but have no fear, valiant soul; I shall "stick it" to the end.

The only personal advantage I could hope to obtain from the proceedings at the trial was reinstatement in the army, so that I should be able to take my proper place in the great war which, as I have said, I had long seen approaching. I had for more than twenty years been a serious student of my profession, more especially of the languages and armies of those European Powers which were likely to take their place as belligerents. For me the strategy of the coming campaign had long been a fascinating study, both in theory and in practice, along the actual routes which were likely to be traversed by the opposing armies. It had been quite clear to me, even before the date of the Algesiras Conference (1906), that the struggle for world power could not be long delayed, and I had warned my constituents clearly, and had spoken more guardedly in the House of Commons on the necessity for preparation. I felt now that it would once more be possible to take my active share in the forthcoming struggle whenever it should commence, because the War Office could now no longer deny to me the justice for which I had asked so long in vain.

With this end in view I wrote to Sir Spencer Ewart in March and had a hopeful interview with him at his own house. Earlier in the month I had re-opened my correspondence with Sir William Franklyn, and, acting on his advice, submitted an official application for ante-dated promotion and suitable employment. To my surprise and great disappointment I received an official refusal of my request, though no reason was assigned. The official

communication contains another repetition of the untrue statement as to the circumstances of the case being fully known to the authorities.*

* * * *

So matters stood when the great European struggle for world-supremacy commenced, on the 25th July, 1914, by Austria's declaration of war upon Serbia. I now hoped that my application for military employment would receive its due consideration, and I proceeded to use every endeavour, both official and unofficial, to get some suitable post. Amongst others to whom I applied then and shortly afterwards were Major-General H. H. Wilson, Director of Military Operations; Major-General F. J. Davies, Director of Staff Duties, Lieut.-General Sir Charles Douglas, Chief of the Imperial General Staff, Lieut.-General Sir William Franklyn, Military Secretary, Lieut.-General Sir Henry Sclater, Adjutant General, Major-General Sir Archibald Murray Commanding a Division at Aldershot, Colonel Macdonogh, Intelligence Staff at the War Office, Lieut.-General Sir Alfred Codrington, Military Secretary at the War Office, Lieut.-General Sir Spencer Ewart, Commanding-in-Chief Scotland, Sir George Arthur, private Secretary to Lord Kitchener who had been appointed Secretary of State for War, and Sir Horace Smith Dorrien, Commanding-in-Chief at Salisbury.

On the 3rd August I received a wire from the Chief of the Imperial General Staff, informing me that my name was noted for employment, and on the following day England declared war upon Germany. I made hasty preparations to sail on

*If that were so, why do they make an untrue statement of fact so late as in their letter of the 2nd October, 1915? (*See p.* 158).

active service, but not receiving the expected orders, I renewed my official application to the Adjutant General.

Sir Alfred Codrington, an ex-Guardsman, had just been appointed Military Secretary in the room of Sir William Franklyn, who was placed in command of one of the New Divisions, which were being raised at home. On the 10th August I called upon Sir Alfred Codrington at the War Office who was exceedingly kind and sympathetic, promising to do all he could to help me. After leaving him, I called at the Horse Guards, and saw Sir John French (recently appointed Commander-in-Chief of the Expeditionary Force) and Sir Archibald Murray who had been appointed his Chief of the Staff. The latter promised to remember my wish for service with the Expeditionary Force, and do all he could to further it.

Rumours of the departure of the Expeditionary Force for France were current and I now began to suspect that the military authorities intended to exclude me from it, and being anxious to discover the reason decided to seek an interview with Sir Arthur Wynne who had been Military Secretary at the War Office from 1906 to 1911. He had received his military education in an infantry line regiment, and his professional attitude had always apparently been marked with that official correctness and precision which is popularly called "red-tape." He had never been friendly to me since I had appointed his cousin, the late Alfred Wynne, a man for whom I always entertained the greatest admiration, to be land agent for my Cavan and Louth properties, till their sale under the Wyndham Act. I knew in fact that Sir Arthur Wynne, in his capacity

as Military Secretary, had in 1906 secretly opposed my appointment to the General Staff, and had for that purpose visited Sir Neville Lyttelton, the Chief of the General Staff, but his intervention in opposition to me had not been successful. In 1911 he had been appointed Keeper of the Crown Jewels with residence at the Tower. Accordingly I wrote to him asking for an interview, and in reply I received a wire fixing an appointment for the following day. On the 18th August I called upon him and was received with politeness. It was evident to me that he knew far more of the 5th Lancers' case than he cared to say, and while expressing his desire to help me, he also explained his inability to do so in his present position. He told me that he had offered his services to the War Office, and that if they were accepted, he might find himself in a position in the immediate future to assist me. He gave me, however, neither information nor assistance.

On the same day the safe arrival in France of the British Expeditionary Force was officially announced in the Press—an announcement which caused me to realize that up to the present all my applications for employment with it had been in vain.

On the following day, my old friend, General Callwell, was appointed Director of Military Operations at the War Office, and to him I next applied. Some days later I had a personal interview with him at the War Office, when he promised me his assistance. The same evening I received a letter from Sir Alfred Codrington's private Secretary (an old friend of mine, Captain Sheppard, of the 19th Hussars, and later of the Grenadier Guards) saying that Sir Alfred Codrington had not forgotten my

desire for employment. A few days later I called a second time upon the Military Secretary at the War Office, and found him still quite hopeful of soon finding me suitable employment on the Staff.

I next applied direct to General Lambton, who had been a student with me at the Staff College, and was now Military Secretary to Sir John French in France. I also applied for employment to Sir Archibald Hunter, whom I had known in Ladysmith during the siege, and who had lately been appointed to command at Aldershot.

Early in October I received from Sir Arthur Leetham, who held an *ad hoc* position at the War Office dealing with officers' appointments, a letter asking for particulars of my service and what sort of appointment I desired, to which I replied by return of post, and two days later I called at the War Office to see him. He was out, but his private Secretary told me that he had placed my name for employment upon the Secretary of State's list.

The following morning I received an official letter from the Military Secretary's Department offering me a post in one of the units which was being raised for the New Army. I knew that the War Office was hard pressed to find senior officers of experience to train these new infantry units, so I decided that it might assist the Military Authorities if I were to accept the post temporarily, while at the same time continuing my endeavours to obtain some suitable employment in which I could turn my strategic and diplomatic knowledge of the European situation to account. Accordingly I wrote at once to Sir Alfred Codrington, putting the situation clearly before him. A few days later Sir Alfred Codrington telephoned to me orders to wait

where I was until I heard further, as he was trying to get me an appointment on the Staff. More than a week elapsed before I heard from him again saying that his efforts had been unsuccessful. On the 25th October I saw him by appointment for the third time (previously on 10th August and 7th September) at the War Office. I pointed out to him that the position which I had been offered was most unsuitable and uncongenial to me, and pressed my claims for re-appointment to the General Staff of the Army in Flanders. He fully agreed with me, but said that there was a difficulty in finding good senior officers for the New Army, that when once in harness I should be in a much better position for my application for suitable Staff employment to receive attention, and that he would remember my name for the first appointment he could offer me. Three days later I went to Aldershot and reported for duty. Having waited four days I wrote to Sir Alfred Codrington reminding him of his promise to help me, and he replied that he had ceased to be Military Secretary, but would send on my letter to his successor.

On the 5th November I submitted through the usual official channel to the Secretary of State for War an Appeal under Section 42 of the Army Act,*

*My first Appeal to the King under this Section had been submitted on the 3rd April, 1911 (*see* p. 96). In my second Appeal I recounted the familiar features of the case, and pointed out the facts which had recently been proved at the trial of *Adam v. Ward*, viz., that the original reports were false reports, that they were rendered in violation of the King's Regulations, and that all action taken upon them by the Army Council was also in violation of the King's Regulations, and therefore invalid. I further pointed out that I had been invariably reported on favourably as a cavalry officer by General Allenby, and as a Staff Officer by Sir Spencer Ewart, and that the only officers who had reported unfavourably upon me and four of my brother officers had been immediately afterwards deprived of their appointments on account of incapacity.

and two days later I began a correspondence with the new Military Secretary, Sir Frederick Robb.

After about three weeks service at Aldershot, the Officer Commanding the infantry regiment to which I was attached offered to recommend me for command of a regiment. I stipulated that it should be a cavalry regiment, but nothing came of his offer as the Army Council wrote, officially refusing to promote me, though assigning no reason for their refusal. This refusal was made at a time when my contemporaries and juniors in the Service were being promoted daily to the rank of General Officers.

I now thought it was time to act upon Sir Alfred Codrington's advice and submit an official application for re-employment upon the General Staff. Accordingly I sought personal interviews with the Brigadier and Divisional Commander, laid before them particulars of my service and qualifications, and obtained their separate consents to recommend any application for re-employment on the Staff which I cared to put forward. Accordingly I submitted through the official channel an application for such employment, which the Army Council in spite of the Military Secretary's promise (*see* p. 148) refused to entertain.

It must be remembered that I was a graduate of the Staff College, had served for three years upon the Headquarters' Staff, had upon the conclusion of my Staff appointment received a report from my General which was "wholly excellent," had special linguistic qualifications for service in Europe, and was a highly trained officer with twenty-seven years' military experience. At the moment too, the Army Council was offering responsible positions on the

Staff to civilians without any qualifications whatsoever.

Just about this time the General Officer Commanding the Royal Field Artillery in East Anglia asked me to go to Suffolk to take command of one of his Territorial Batteries, and I consented to do so, as another temporary arrangement. The military authorities in East Anglia informed me that my transfer was approved by the War Office.

This, however, fell through later, for, towards the end of January, 1915, I received a War Office letter asking me to sign an enclosed paper upon transfer to the Territorial Field Artillery. I had only consented to temporary attachment, and this letter aroused my suspicion. I consulted a legal friend, who agreed with my preconceived opinion that this was really an insidious attempt to deprive me of my commission, and I officially returned the letter and paper unsigned, asking whether or not my opinion was well founded. To this official enquiry I never received any reply, which confirms me in thinking that the opinion which I had formed of the object of the War Office was only too well founded.

On the last day of January I received an official letter from the Army Council offering me a transfer to a Reserve Cavalry Regiment. I replied at once, officially accepting the offer, but asking that the transfer might remain in abeyance, pending the result of my Appeal to the King under Section 42 of the Army Act, which had then been under consideration for nearly three months, and to which I was daily expecting a satisfactory reply.

On the same day I requested an interview with Sir Frederick Robb, with whom I had been in correspondence since the beginning of November. The

Military Secretary refused my request but invited me to submit my wishes to him in writing. In accordance with this invitation I wrote out a concise statement of my case, asking to be told the reason why the Army Council refused to give me suitable employment and allow me to proceed to France. This correspondence with Sir Frederick Robb lasted a long time, and his many letters are a model of what should be avoided. They are merely examples of systematized evasion. After failing to learn from him any reason for the attitude of the Army Council I suggested that, as his predecessor in office, Sir William Franklyn, had told me in 1912 (*see* p. 109), the real reason might be the mistaken version of the incident with Sir William Nicholson in Japan (*see* Note C at end of Chapter VI), when he impugned my veracity, and I was compelled to report his conduct to superior authority. After my suggestion had been ignored several times by the Military Secrerary, I put the question to him direct, and after first refusing to reply, he wrote denying my suggestion.* As Sir Frederick Robb had at his disposal the same information which had been at the disposal of Sir William Franklyn in 1912 it appeared to me almost useless to continue to correspond with an official who was evidently evasive.

Accordingly I next sought and obtained an interview with Mr Tennant, the Under Secretary of State for War, who kindly promised me his assistance

*"I cannot find that your veracity has been impugned, nor does the incident which you mention have any bearing whatever upon the present situation." (Extract from a letter of the Military Secretary of 22nd February, 1915.) I protested strongly against the statement in the first clause of this extract, which Sir Frederick Robb withdrew in a letter of the 22nd April, 1915, in which he admitted that I was justified in considering that Sir William Nicholson had impugned my veracity.

to obtain suitable employment, if possible in France. Some weeks afterwards he wrote to me regretting that his endeavours had been of no avail.

About this time Sir Archibald Murray resigned his appointment as Chief of the Staff to Sir John French, and returned to England, where a new appointment, that of Deputy Chief of the Imperial General Staff, was created for him, his principal duties being apparently those performed in times of peace by the Inspector General of the Forces. I had not written to him since the previous August, and early in March I resumed my correspondence with him, asking for his assistance to obtain for me suitable employment. During the many years I have known Sir Archibald Murray as a soldier and as a friend, he has always proved ideal in either capacity. *Sans peur et sans reproche,* he will always stand out in glowing contrast to some of the men, whose deeds it is my duty to chronicle in this history.

It was not long before his duties brought Sir Archibald Murray to inspect the Division to which I was attached. After the official Inspection was over, he asked to see me privately, when he expressed great surprise at my unsuitable employment, and promised his assistance in finding me a Staff appointment, and in clearing up the mystery of my strange treatment by the military authorities. He did as he promised, but without success.

About this time I submitted through the official channel four separate applications each containing one simple question.

(1) The first, dated the 23rd March, asked my position as regards pension. The pursuant correspondence contained thirty-one minutes, and went

on till the 8th June, when no answer was given.*

(2) The second, dated the 25th March, arose out of the unsatisfactory answers of the Military Secretary to my letters, and asked whether Lord Nicholson had recorded any personal opinion about me, but no answer was returned.†

(3) Before sending in the third, dated the 7th April, I had put the question, asking for elucidation of my enforced position, in a private letter to Sir Frederick Robb, and he had replied advising me to put it in an official letter. I did so, and the pursuant correspondence, containing seventeen minutes, went on till the 8th June, when a letter, signed by Sir Frederick Robb himself, arrived refusing to give any answer.

(4) The fourth, dated the 19th April, asked the reason why suitable employment was withheld from me. The pursuant correspondence went on till the 10th May, when no answer was returned.‡

*My original application contained the words: "I ask that this letter may be regarded as an inquiry, and not as an application to retire from the Service." Upon which Lt.-General W. Pitcairn Campbell, Commanding-in-Chief, Southern Command, wrote: "I won't send this on as nobody is allowed to voluntarily retire from the army during the period of the War." The application went to the War Office.

†Upon this application Lt.-General W. Pitcairn Campbell, Commanding-in-Chief, Southern Command, wrote: "I am of opinion that it is not open to Major Adam to ask by whom a letter written by direction of the Army Council was drafted." Upon which I wrote: "I entirely agree with the opinion of the General Officer, Commanding-in-Chief, Southern Command, which is, however, irrelevant to my application. The information to which he refers is public property" (this alludes to the sworn evidence of Sir Edward Ward that the now famous libel was drafted in the hand-writing of Lord Nicholson). The application went to the War Office.

‡Upon this application General Sir Arthur Paget, Commanding Salisbury Training Centre, wrote: "I am not prepared to recommend Major Adam for employment on the General Staff." Upon which I

These four applications form a good example of the ordinary course of official communication, show how uselessly officials, who are highly salaried by the tax-payer, occupy their time, and constitute a fitting comment upon the general standard of military intelligence.

It was not until the 8th June, 1915, that I received an official intimation that my Appeal to the King had been rejected,* and on the same day I applied for the transfer to my own arm of the Service, the cavalry, which I had been officially offered the previous January and which I had officially accepted. I was looking forward to more suitable and congenial employment when I received a reply from Sir Henry Sclater, the Adjutant General, to say that no transfers to the cavalry were at this time being carried out, and that my application could not be granted. The statement that no transfers were being carried

wrote: "No application for employment on the General Staff is made, therefore recommendation is not sought." Sir Arthur Paget refused to forward my application. It went to the War Office.

N.B.—It was Sir Arthur Paget who had been sent with a costly suite at the expense of the British tax-payer on a special mission to the Balkans, and on the 17th March, 1915, he telegraphed to Lord Kitchener: "All possibilities of Bulgaria attacking any Balkan State that might side with the Entente is now over, and there is some reason to think that shortly the Bulgarian army will move against Turkey." (Extract from Report of Dardanelles Commission). Very shortly afterwards Bulgaria joined Turkey and overran Serbia.

*The official formula on these occasions is: "The Secretary of State regrets that he has found himself unable to advise His Majesty to issue any special instructions." The Appeals never go to the King, but are decided by the Secretary of State for War, or in other words, as was pointed out by Mr Justice Darling in *Adam v. Ward* (*Off. Rep., p.p* 44, 141, *et al*), against a decision of the Army Council there is no Appeal except to the Army Council. Considering the manner in which the Army Council arrives at its so-called decisions, this constitutional danger cannot be overrated.

out was not true,* nor would such a rule have applied to my case, in which I had been officially promised a re-posting to my own branch of the Service. Sir Henry Sclater had been Adjutant General in the previous January, so was personally responsible for the obligation and its repudiation.

Thereupon I wrote to Sir Neville Lyttelton, Governor of the Royal Hospital at Chelsea, who, as Chief of the General Staff in 1907, was originally responsible for the scandal of placing five senior officers of the 5th Lancers upon half-pay, without due consideration and without showing them the false reports which served as a basis for his action. At his invitation I had two pleasant interviews† with Sir Neville Lyttelton, who admitted he was partly to blame in the matter, and consented to take the case personally to Sir James Wolfe-Murray, the then Chief of the Imperial General Staff. He did so, but in the end his intervention was barren of result.

Sir Archibald Murray, as Deputy Chief of the Imperial General Staff, had a room at the War Office, and there towards the end of July, with a view to get sent out to the Front, I had a talk with him, when he again expressed great sympathy with me for the unjust treatment I was receiving. He

*During June and July, 1915, fifty-two transfers to Regular Cavalry were gazetted.

†During one of these interviews Sir Neville confided to me that it would make no difference to the Army Council whether I had seen General Scobell's report when it was rendered or not. The whole history of the case seems to corroborate this statement. Therefore, according to Sir Neville Lyttelton, himself once First Military Member of the Council, the Army Council invariably sets the *King's Regulations* at defiance. No army administered on this system can ever reach that standard which the Public has the right to demand.

strongly advised me to ask some General at the front to apply for my services, and accordingly I wrote with this object to General Allenby (Corps Commander), to Sir Hubert Gough (Divisional Commander) and to General Macdonogh (Chief of the Intelligence). My endeavours were unsuccessful, all expressing their willingness, but inability, to help me.

During the first week in August I visited the War Office and had an interview with Sir James Wolfe-Murray, Chief of the Imperial General Staff. I put the case before him as briefly as I could. He expressed his inability to understand why I had been, and was being, treated by the Military Authorities in the manner revealed by the facts I told him, and he advised me, as a preliminary measure, to ask to see my confidential reports, to which he agreed that I had an undoubted official right under the *King's Regulations*. The following morning I made out an official application to see the confidential reports, and by Sir James's advice, in order to save time, handed my application to his private Secretary who promised to submit it to the proper Department.

It was during my visit to Sir James on the previous day that another responsible official at the War Office informed me unofficially that the reason for the Army Council's refusal to re-employ me on the General Staff was that in 1910 Lord Nicholson had, without my knowledge, cancelled the "wholly excellent" report made upon me that year by my General, Sir Spencer Ewart. This was the first intimation I had ever had of such an event, and if it is true, which can hardly be doubted, displays Lord Nicholson in an instructive light, for not only

had he no opportunity of judging my work, but his action is a violation of His Majesty's Regulations which lays down that an adverse report, *no matter by whom it is written*, shall be shown to the officer concerned.*

A few days later I received orders to report for duty in Scotland. I called again at the War Office, and had friendly interviews with Sir Archibald Murray, and the Duke of Teck, who was then Assistant Military Secretary, and who told me that Sir Frederick Robb had decided to take no notice of the application to see my confidential reports, because I had applied direct, instead of through the official channel. Accordingly I sent in a duplicate application through the official channel, and applied for ten days' leave, in the hope that I should be able to see the reports before I left London.

On the same day I wrote to Sir Spencer Ewart, who was then commanding in Scotland, to say that I was about to come under his command.

When my leave expired I went to Scotland and waited there for a reply to my application for copies of my confidential reports. On the 14th September I received an official letter dated the 8th September, from the Adjutant-General informing the G.O.C.-in-Chief, Scotland, that I had applied direct to his Department, and that I was to be instructed to communicate in future through the official channel. Accordingly on the following day, I wrote again asking for copies of the reports, with a covering letter of same date, asking for an interview in London with the Director of Personal Services.

When I called on Sir Spencer Ewart in Edinburgh,

**King's Regulations* (1904) para. 132(v), as amended by Army Order 107 of 1908.

the G.O.C.-in-Chief was absent upon inspection duty, but I received a letter from his Assistant Military Secretary, saying that Sir Spencer Ewart had forwarded my request for copies of the reports and also for a personal interview, but that his endeavours to arrange for the latter direct by telephone with the War Office, had not been successful.

A week later I received from the Army Council an official letter dated the 2nd October, which refused my application for a personal interview, and refused to send me copies of the reports on the plea that they had already been shown to me in accordance with the Regulations.* That they had been shown to me was a repetition of the untrue statement contained in the Army Council's letter of the 21st March, 1911 (*see* p. 94 *et seq.*)—a statement made in defiance of the documentary evidence which the Army Council had before them on both occasions.

I thereupon drafted a reply renewing my application, pointing out the incorrectness of the statements made in the War Office letter of the 2nd inst., and sent it privately to Sir Spencer Ewart for his approval before submitting it officially.

The following morning I saw an announcement in the *Times* of the preceding day that my friend, Sir Archibald Murray, had been appointed Chief of the Imperial General Staff, in the room of Sir James Wolfe-Murray.

Since my arrival in Scotland, I had had several pleasant meetings with my old chief, Sir Spencer Ewart, and, on the 14th October, I saw him again in Edinburgh. He was genuinely distressed at the

*If they really had been shown to me, why should I not be allowed to see them ?

refusal I had received from the War Office, and kindly gave me all the assistance in his power, revising my proposed official application and making suggestions thereon, until it assumed the final form in which it was despatched to him officially on the following day.

At our interview Sir Spencer Ewart expressed great hope that the appointment of Sir Archibald Murray as Chief of the Imperial General Staff must mean the early settlement of my case, and that the justice for which I had so long asked would at last be done. As well as officially recommending my application, Sir Spencer promised to write on my behalf privately to Sir Archibald Murray. Two days later I said good-bye to Sir Spencer Ewart, as the Brigade to which I was temporarily attached for duty was being transferred to England.

I went to London, and on arrival had an interview with Sir Archibald Murray at the War Office. I told him of the course which recent events had taken. He had been acquainted with the case at its inception, as he was Chief Staff Officer to Sir John French at Aldershot in 1906, and had been present at the inspection when the latter had warmly complimented me on the high standard of efficiency to which I had brought my Squadron. (*See* p. 132.) Sir Archibald Murray and I had been warm friends ever since we had spent some months together, in 1902, in hospital at Capetown, he wounded, and I recovering from enteric fever, towards the close of the South African War. Since 1907 we had been together on the General Staff at the War Office, so that Sir Archibald Murray was not unacquainted with the case of the 5th Lancers. At our interview he expressed his warm sympathy and his readiness

to help me to the full extent of his power. He said that he recognized that there were two parts of my case awaiting settlement:

(1) An examination of the reports of 1906;

(2) Suitable employment.

With regard to the first, he asked me what I would consider a just settlement, and I told him that I wished to be re-instated in that position in which I might reasonably expect to have been, had the military authorities complied with the Regulations for the Army. He said that he considered that my demand was reasonable, and the minimum which bare justice could expect. At the same time he said that he had no official right to interfere in this matter, which was one for the Adjutant General to settle, with the approval of the Secretary of State for War. He said he thought that there was nothing to do but await the result of my official application which had been forwarded by Sir Spencer Ewart on the 15th October.

With regard to the second, Sir Archibald Murray said he could, and would, help, and he kindly advised me to write to three Generals at the Front, whom we both knew, and ask them to apply for my services upon the General Staff. Sir Archibald authorized me to say that, if they did this, he would have me appointed without delay. After our interview I felt that at last justice was going to be done. I had not felt so hopeful of a final settlement being on the point of completion since April, 1912.

I returned to duty in Yorkshire, and on the 12th November I received from the Army Council an official letter, dated the 5th November, written and signed by Major-General Sir Frederick Robb, omitting any reference to my requests for copies

of the reports and a personal interview, and informing me that the time had arrived when I must consider the matter finally closed.

I immediately wrote two official letters direct to the Chief of the Imperial General Staff, enclosing copies of correspondence since the 6th August, briefly reviewing the case, asking for immediate consideration of it, and, if that were still refused, to be placed upon half-pay. This letter was handed by Sir Archibald Murray to Sir Frederick Robb with the request that an answer should be sent to me. This request to the Military Secretary coming from the First Military Member of the Army Council, was in effect an order, which, however, Sir Frederick Robb did not obey. Nor receiving any reply, I came up to London and wrote to Sir Frederick Robb, asking for an interview, sending my letter to the Duke of Teck for transmission to the Military Secretary. The Duke wrote to me, informing me that Sir Frederick Robb refused to see me.

Having waited some days, I sought another interview with Sir Archibald Murray. I told him that I had received no reply to my official application of the 12th November, at which he expressed surprise. He said he could not understand why it should be so difficult for any officer to obtain what after all was mere justice, and he wrote on a slip of paper to the Military Secretary: "Dear Robb, Will you see Adam and finally dispose of his case? A. J. M."

This slip he sent round by his private Secretary to the Military Secretary, who wrote back a refusal to see me, giving, as his reason, the fact that Sir Henry Sclater, the Adjutant General, had ordered that no reply should be sent to my official application

of the 12th November. Sir Archibald Murray expressed himself in very strong terms as to this refusal either to see me or reply to my letter, which he said was not only in the highest degree discourteous, but, etc., etc. He told me that the four Military Members of the Army Council were to meet in his room, where we were sitting, the following morning, 11th December, 1915, at 10.30 a.m., and he promised that he would draw my application from the Central Registry, whither Sir Henry Sclater had ordered it to be sent, put it before the Council, and tell them what he thought of the whole matter. He then rang the bell, and ordered his private Secretary to obtain the document. I thanked him gratefully for his kindness and withdrew.

The next day I returned to Yorkshire.

Having waited three days I wrote to Sir Archibald Murray's private Secretary asking him what was the result of the meeting of the Military Members on the 11th. The Secretary replied that Sir Archibald Murray wished him to say that my case "is being considered but that no decision has yet been arrived at."

A few days later I saw in the evening paper that Sir Archibald Murray had been appointed to the command of the Eastern Mediterranean. I left for London the following morning, but Sir Archibald had already left the War Office.

A few days afterwards Sir Archibald Murray sailed from England, and it appeared that my hopes for a speedy settlement of my case were not to be realized. I fear I began about this time to take a somewhat gloomy view of the honesty of humanity, especially that part of it which constituted the official military hierarchy. It seemed to me that

in the struggle of the two great opposing forces of right and wrong, of truth and falsehood, the adherents to the standard of the latter were so much more numerous than those who engaged under the standard of the former, that good fought against evil at a serious disadvantage, and that in most encounters at any rate the victory of evil was assured.

I began to suffer terribly from insomnia. The continued physical strain of the last five years during which the persecution under which I suffered had been carried on against me with a malignity which was almost incredible, began to tell. For whole nights at a time I never closed my eyes. I consulted my medical adviser, but all he could do was to recommend me on physical grounds to obtain a settlement of my case. If I could only have got some suitable military employment to occupy my thoughts, I might have been able to defer the settlement of the case with comparative indifference until the war was over. The continuance of the war made matters worse. When all my friends and near male relations were doing so much for England, both in the Navy and in the Army, I, who had made a life-study of this European War, who spoke the languages and was intimate with the Armies of all our chief Allies, who had been for years a devoted student of that very strategy which was being carried out on the battle-fields of the world, was being kept by the Army Council in comparative inactivity in a snow-and-rain-sodden camp in Yorkshire, separated from my regiment, under the most uncongenial conditions, social, physical, and mental. For all this I could assign no reason. I had asked the reason and been misinformed. I had pointed out the

misstatement, and been told that no further notice would be taken of my representations. Is it any wonder that my faith in truth and right and justice should be weakened, if even temporarily ?

At the beginning of February, the period at which I could give notice of Appeal to the House of Lords in the case of *Adam v. Ward* was about to expire, and I instructed my solicitor to take the necessary action. About a week later I received a wire from the War Office ordering me to join the Expeditionary Force in France. It will be remembered that before war was actually declared I had volunteered for service abroad, and had since exhausted every effort to get out to France, either to my own regiment or in some other capacity. Since then, however, the continued determination of the Army Council to deny me the ordinary rights of an officer, and their repeated refusal to comply with the King's Regulations or to give any consideration to my case, had rendered it impossible for me to submit complacently to be the victim of their design, even if their persecution of me had not caused that extreme state of mental worry and physical exhaustion to which I have already referred.

Before, however, placing upon official record the frequently expressed opinion of my medical adviser, I determined to make one more effort to obtain that impartial consideration of my case to which I was in justice entitled, and which the Army Council were determined to refuse. I decided to appeal direct to the Secretary of State for War, and on the following morning, with renewed hope, I handed in my official Appeal to Lord Kitchener.

I received no reply to my letter, and my Doctor took the matter into his own hands and forwarded a Certificate as to my state of health. For nearly two months I had never enjoyed a single night's rest, and had it not been for the inward consciousness of the justness of my claim, I should have utterly broken down. That my physical exhaustion had been deliberately brought about by the unremitting persecution of the Army Council, and that the remedy lay solely in their hands, is proved by the series of medical certificates rendered between February and November, 1916, to the Army Council. These seven Certificates were rendered by two eminent physicians, and the opinions therein expressed were endorsed by the military medical authorities and submitted by them to the Army Council.*

* 1ST CERTIFICATE. 21*st February*, 1916.

I hereby certify that I have this day examined Major Adam, and find him suffering from nervous overstrain and insomnia. These conditions I, having attended Major Adam for several years, attribute to his anxiety regarding his status as an officer, and which is rendering him temporarily unfit for continued thought and unable for the concentrated mental efforts requisite for military duties. Doubtless if these causes of anxiety were removed, Major Adam would be rendered able to undertake all necessary duties. (*Signed*) G. W. F. MACNAUGHTON, M.D., M.R.C.P.

2ND CERTIFICATE. 3*rd April*, 1916.

TO MAJOR ADAM, My medical opinion is that you are suffering from severe mental overstrain, which is the cause of your continued insomnia.

Having known you for some years, I attribute these conditions entirely to your intense worry and continued anxiety regarding your position with the military authorities. I am quite confident that if this cause of anxiety were removed you would quickly be restored to health. (*Signed*) G. W. F. MACNAUGHTON, M.D., M.R.C.P.

3RD CERTIFICATE. 26*th April*, 1916.

I have this day examined Major Adam, and find that the insomnia and mental overstrain to which I certified last February have entered upon a more acute phase. This is caused by the continued inability of Major Adam to obtain a hearing of his case.

I know nothing of the details of the case, but, having attended Major Adam for more than two years, I strongly recommend that a hearing should be granted him, for, speaking as a medical man, I am convinced that whether the result of the hearing be favourable or unfavourable to Major Adam, it could not fail to be beneficial to his health, by allowing his mind to become settled. (*Signed*), G. W. F. MACNAUGHTON, M.D., M.R.C.P.

4TH CERTIFICATE. *24th June*, 1916.

DEAR MAJOR ADAM, I am exceedingly sorry to see from your note that you have not had a full and complete hearing of your case from a military standpoint. This is so essential for your welfare from the medical point of view, for unless this weight be taken off your mind, you cannot possibly be able to concentrate your thoughts upon any subject except this personal one, which will make you more subjectively conscious, and lead to further depression and insomnia. I do hope to hear soon that you have been granted this relief. Yours faithfully, (*Signed*) G. W. F. MACNAUGHTON, M.D., M.R.C.P.

5TH CERTIFICATE. *6th September*, 1916.

I have this day examined Major Adam, and find him still suffering from that condition of mental overstrain and insomnia to which Dr. Macnaughton has certified at intervals during the last six months. It is evident that Major Adam is suffering from a form of neurasthenia which is well recognized as being due to delay in the hearing of a case. I would urge that this matter should be cleared up without delay, and I have no doubt that when this has been done, there will be a rapid improvement. (*Signed*) J. D. E. MORTIMER, M.B. (LOND.), F.R.C.S.

6TH CERTIFICATE. *9th October*, 1916.

I have this day examined Major Adam, and strongly endorse the certificates upon his health which I have rendered at intervals during the last eight months. Major Adam has suffered greatly for many years from some misunderstanding with the military authorities, the reason for which he has never been able to ascertain, and it is in my opinion the only remedy applicable, that he be granted a hearing in order to clear up his position, and if possible this hearing should not be any longer delayed, as an utter breakdown is threatened. (*Signed*), G. W. F. MACNAUGHTON, M.D., M.R.C.P.

7TH CERTIFICATE. *22nd November*, 1916.

I have this day examined Major Adam and find the mental state uncertain through continued anxiety. The bodily health and strength are good, while if Major Adam were given a hearing, the uncertainty and despondency would be removed, and he would again be fit for active employment. This, I believe, to be the only remedy. (*Signed*) G. W. F. MACNAUGHTON, M.D., M.R.C.P.

Just about this time it was announced that Sir Henry Sclater had been succeeded by Sir Nevil Macready as Adjutant General, and upon the day on which I saw the announcement, I wrote to Sir Spencer Ewart in Scotland, and to Sir Archibald Murray in Egypt, asking each to write to the new Adjutant General on my behalf. Sir Spencer Ewart kindly did what I asked him, but without success.

Early in April I received a charmingly sympathetic reply from Sir Archibald Murray, giving me permission to use it as a letter of introduction to the Adjutant General. This I did, and some correspondence ensued between Sir Nevil Macready and myself, but without the desired result.*

On the same day as I received Sir Archibald Murray's letter I decided to act upon the information given to me in 1912 by Sir William Franklyn and repeated to me in more detail in August, 1915, and to call upon Lord Nicholson, to ask him whether what I had heard was true, that he had made some record about me which was preventing my getting any suitable military employment. Lord Nicholson, as I expected, declined to see me, but invited me to write to him on any matter I wished. I did so the same day, asking him to help me to employment, and suggesting that I was aware of what he had done. His reply (a refusal to help me) contains no allusion to the fact of his being the *fons et origo mali*,† so in a letter of the following day I directly charged him with it. As I fully expected, Lord Nicholson in his reply did not deny the charge.

*He wrote to me saying that the matter could only be dealt with by the Army Council " in their corporate capacity."

†Sir William Franklyn's words. (*See* p. 109.)

After the lapse of about three weeks I wrote to Sir Frederick Robb asking him kindly to send me a copy of the Army Council's letter addressed to me, which had been lost in the post in Spain. (*See* p. 106). I received no reply.

On the same day as I wrote to Sir Frederick Robb, I also wrote to Lord French, asking him to obtain a hearing for me. Lord French had recently relinquished the command of the Expeditionary Force in Belgium and France and been entrusted with the command of the Home Army. In reply to my letter, Lord French wrote inviting me to call at the Horse Guards, and saying that he would be very glad to see me. I accepted the invitation, and had an interview with Lord French, who received me very kindly, and promised to see the Adjutant General personally, and ask that I should be given early employment on the Staff, as to my capacity for which employment Lord French spoke to me in most flattering terms. It seemed to me that, even if the settlement of my case had to be postponed till after the conclusion of the war, I was certain now to get that suitable employment for which I had waited so long. Lord French did what he had promised to do for me, but much to my surprise and disappointment, his good offices were of no avail.

At my interview with Lord French I told him that if I could not get a hearing, I should ask Lord Kitchener for one, to whom I had already applied, and whose answer I was still awaiting; so having received no reply to my official Appeal to the Secretary of State for War (*see* p. 164) I drafted a reminder in May, and was only waiting for the result of Lord French's intervention to submit it, when the world

was startled by the news that on the 5th June, Lord Kitchener had gone down in H.M.S. *Hampshire* off the Orkneys. My letter was, therefore, never sent.

With the death of Lord Kitchener it became necessary to seek for justice in some other direction. Accordingly I wrote to Sir Arthur Lee, private Secretary to the War Minister, and later in the same month to Sir Francis Davies, Military Secretary.

About this time I opened up a correspondence with Lord Derby, when he was Under-Secretary of State for War, which correspondence was continued after he became War Minister.

I next applied officially to the Secretary of State for War, asking for revision of the case by the Army Council "in their corporate capacity,"* and, receiving no answer, I repeated my request for a hearing upon medical grounds in a further application to the Secretary of the War Office. To the latter application I received a reply which Sir Nevil Macready perhaps thought, and no doubt hoped, would close the case. To this letter I replied.

Ten days later I wrote to Sir William Robertson, Chief of the Imperial General Staff. I then submitted to the Army Council the last of the seven urgent medical certificates asking for a hearing (*see* Note on p. 166), and after some delay I received a curt letter from the Military Secretary informing me that I was to retire from the army, and that a notification of this would appear in the *London Gazette*. I at once replied with a letter of strong official protest, addressed to the Secretary of the War Office: "I desire," I wrote, "to record my official protest against the arbitrariness of the

*According to Sir Nevil Macready's suggestion. (*See* Note on p. 167.)

compulsion of being forced to retire, and I beg to renew my application for that consideration of my case which I rightly claim under the Regulations. Retirement does not invalidate this claim for consideration, which is a permanent one, till satisfied."

In January, 1917, I was gazetted out of the army.

I informed Sir Edmund Allenby and Sir Archibald Murray of my treatment, and from both received sympathetic letters in reply.

CHAPTER IX

(1917-1919)

RESURGAM

Man is unjust, but God is just; and finally justice Triumphs.—*Longfellow.*

That my health was not irrevocably affected by the action of the Army Council was no fault either of that body or of Lord Derby. It was a terrible blow after thirty years' service in the army, to take up the paper one morning and to find that one was no longer a soldier of the King. The doctors tell me that it was the terrific force of the blow that saved me. Had I cared less, nothing could have prevented the progress of the lethargy which was stealing over me. The shock awoke me. The physical pain of the awakening was terrible. I went out for a walk alone upon an open heath. The wind was singing clear and cold across the land, bringing me its cooling message straight from the unknown. When I returned home late that evening, my mind was made up. I promised myself that I would find some work to do that would exercise the brain to its full extent. In three weeks' time I had kept my promise.

Gradually as the days grew longer, hope began to return. Very weak it was at first, but daily it strengthened. I took the greatest interest in the altruistic nature of my new work. I had looked so long on the sordid, selfish, hypocritical, false side of life that it was a relief to find oneself once more among those who knew the meaning of honour and of truth.

With returning hope, came plans for its realization. In my latest letter to the Army Council I had written : " My claim for consideration is a permanent one till satisfied," and all I had to decide upon was the best method in which to advance that claim. My position was clear :—The case had originated in a violation of the *King's Regulations* by the Army Council. Since then the Army Council had refused me any consideration of the case by anyone of sufficient responsibility to decide it. By the official production in 1914 at the trial of *Adam v. Ward* of my application, dated the 11th November, 1906, to see General Scobell's report, it was admitted that the Army Council's official statement that I had seen that report on the 7th of the previous month was incorrect, and that they knew it to be so when they made that statement on the 21st March, 1911. Furthermore, they admitted that injustice had been done to me by asking me to submit new evidence in the case, but when I had done so, and their reply had been lost in the foreign post, they refused to supply me with a copy of the lost letter. The Adjutant General had written to me saying that the matter could only be considered by the Army Council in their corporate capacity, but when I had applied officially for such consideration, my application had been refused.

It is unnecessary to burden my narrative with a detailed account of my correspondence with the various authorities. On the military side I continued to carry on a correspondence with Sir Nevil Macready, the Adjutant General, and Sir William Robertson, Chief of the Imperial General Staff, who informed me, as had Sir Nevil Macready, that the matter was one for the Army Council, and asked me to address my application to the Secretary, War Office. When I did so, I got no reply. With Lord Derby, Secretary of State for War, I carried on a long correspondence both private and official, receiving many letters from him, but no satisfaction, and apparently no consideration of the facts of the case.

I made separate applications to the Members of the Cabinet, Mr Lloyd George, Lord Curzon, Lord Milner, Mr Bonar Law, Sir Edward Carson, Mr Arthur Henderson, Mr George Barnes, with nearly all of whom I had considerable correspondence, especially with the Prime Minister.

I made an official Petition to the Cabinet, claiming, as a British citizen's right, compliance with the Regulations of His Majesty the King. The receipt of my Petition was acknowledged separately by Lord Curzon and the Secretary of the War Cabinet, on behalf of its Members.

During the latter months of 1917 and throughout 1918, I made the most strenuous, but ineffectual, efforts to obtain Government employment, applying to the Foreign Office, the Ministry of Information, and always to the War Office. Military Missions and Diplomatic Missions were being sent all over the world to neutral countries: interpreters were being asked for: trained and experienced

officers were needed by the country. Useful to the country I could have been in many capacities, in many places, and especially in Russia, where there was pressing need, and where my extended knowledge of the country and the language would have been useful.

In September, 1918, Major-General Sir George Macdonogh was appointed Adjutant General. He was a contemporary of my own, and an old friend since we had been together so long in the same Directorate of the General Staff at the War Office. I called upon him at his invitation and we had a most friendly interview about the case.

In the end, Sir George Macdonogh came under the numbing influence of the bureaucratic system, and, like his predecessors in office Sir Charles Douglas, Sir Ian Hamilton, Sir Henry Sclater, and Sir Nevil Macready, preferred to leave the matter unsettled. He referred it, however, to Sir Henry Wilson, Chief of the Imperial General Staff, who, like his predecessors, Sir Neville Lyttelton, Lord Nicholson, Lord French, Sir Charles Douglas, Sir James Wolfe-Murray, and Sir William Robertson, also preferred to leave the matter unsettled.

I had previously entered into a long correspondence, both officially and unoffically, with Lord Milner, Secretary of State for War, asking him to consider the case, but he too, like his predecessors, Lord Haldane, General Seely, Mr Asquith, Lord Kitchener, Mr Lloyd George, and Lord Derby, preferred to leave the matter unsettled. After all, officials are paid by the tax-payer to do their duty, and those who leave that duty undone are as responsible as those who originated the need of its exercise.

Early in the present year I called on General Seely, who had recently been appointed Air Minister, and put the whole case before him in an interview which lasted for more than two hours. It will be remembered that on two previous occasions in 1912 and 1914 (*see* p. 109 and p. 143) General Seely had been the Minister officially responsible for refusing me justice. I found him in 1919 quite careless, and apparently unaware, of any responsibility. He admitted that when the case had come before him previously in his official position, he had merely regarded what he called its legal aspect, that is, as he said, he had asked the legal authorities if it lay within the constitutional right of the Secretary of State for War to deprive an officer of the King's Commission without giving him any reason. The answer to the question being in the affirmative, there was naturally, said General Seely, no occasion for me to take any action. When, however, I asked if he considered that the course which he adopted entitled him to say in official correspondence, (*see* p. 109), that the Army Council had given the case "careful consideration and weighed all the circumstances," he became somewhat perturbed and endeavoured to shift his ground to generalities. After a time he appeared to begin slowly to realize that an injustice had been done, and that perhaps the case merited some further consideration than the perfunctory attention he admitted having bestowed upon it. In the end, he dictated to me a letter that I was to write to him, setting forth the salient points, which he promised to send to Lord Milner, asking for his consideration. This General Seely did, and when a few weeks later Lord Milner was succeeded by Mr Churchill as

Secretary of State for War, General Seely wrote to the latter "strongly representing" the case to his consideration. More recently General Seely has again written to me assuring me that the case is now in the hands of the Secretary of State for War. That is the position as this book goes to the printers. The error which the Army Council committed in 1906 in ordering me to resign my commission—an act which they now no longer deny was an error,—is still in 1919 under consideration by the Army Council. During that time it has wandered through the various vicissitudes of official, legal and parliamentary enquiry until the official circumference of the circle—that emblem of infinity —has closed again, and the error committed by a Government Department is still under consideration by that same Department.

For me it has been a long night of thirteen years, and the day is not yet.

CHAPTER X

LOOKING FORWARD

"Ah, God, for a man with heart, head, hand,
Like some of the simple great ones gone,
For ever and ever by;
One still strong man in a blatant land
. . . . . .
. . . . . .
One who can rule and dare not lie."—*Tennyson.*

Now my task is done. From the book of life I have torn a tear-stained page, for if honour can alone be vindicated by the disclosure of the truth, then the truth must be disclosed. But let no one think that this consideration was the only, or indeed the principal, object I had in view when after the lapse of twelve years I took in hand the task of writing this book.

Queen Victoria was the greatest Queen who ever sat upon the throne of England, and she was a great queen because she was a good woman. "Tell me," she used to say to her Ministers, "whether this be right or wrong, but let me never hear the word 'expedient.'" The British Dreyfus Case is a story of the long struggle of right against an assumed expediency which began in error and gradually hardened into guilt. By it I have lost all that the world holds dear, much that I hold dear. There is no doubt that I might have reached a high rank in the army, and enjoyed the privilege of placing various capital letters after my name, had I not stood up for justice for one of the men of my own

Squadron. I might have retained my seat in Parliament, and continued to sun myself in the smiles of my constituents, had I not stood up for justice for my brother-officers and the officers of the army. I might have done all this and more, but would it have been worth while? Would it have been worth while to go through life with a conscience ever telling me that I had failed to do my duty, that I had sacrificed the future for the present, that I had sold my soul, that I had saved myself but that others I would not save. Would it have been worth while? No, a thousand times, No. Justice and truth are the highest forms of happiness, and even resolute striving after these will bring a degree of inward happiness that no man can take away.

With a great and earnest love for my fellow-man, I lay down my pen in the hopes that the story of the British Dreyfus Case which I have had to tell may teach us the supreme lesson that we, as a nation must return to the primitive virtues of honour and of truth, we must put away from us the artificiality of existence, we must look upon life as it is with a straight eye, we must no longer fool ourselves with the thought that without God we can be a great nation of noble men and noble women, we must cease to grope for the shadow, we must grasp the substance, we must rally round Christ's standard of honour and of truth, we must take these in our right hand as living entities into our public life, as well as into our private one, and then, and then only, shall we obtain for ourselves and for our children that regeneration of thought and feeling which to-day is the great and crying need of the British Empire.

"FINIS CORONAT OPUS."

APPENDIX I

ABOLITION OF TRIAL BY JURY

To none will we deny or delay right or justice.—*Magna Charta.*

TRIAL by Jury is an important safeguard for the liberty of the subject. As a national institution it is thought by some to have existed in England in criminal cases before the Norman Conquest, and was extended to civil cases by William I or one of his immediate successors. It has been reserved for the twentieth century and for a Government in which Mr Asquith was Prime Minister, Lord Haldane Lord Chancellor, and Sir John Simon Attorney General, to supply an historical example of the abolition of this right of the individual to a verdict of a jury, not by statute but by procedure under the Common Law. The Common Law is in a perennial state of fluidity, and the right which is taken from one individual may be restored under it to another. At present I am only concerned with a bare recital of facts showing how it can be, and is, taken from the individual. It is an accepted maxim of civilized morality that every wrong creates a right. That a great wrong was done to the officers of the 5th Lancers by Lord Haldane and the Army Council has never been denied by anyone except the Members of that Council and those bureaucrats who are interested in maintaining its authority for good or evil. By the publication of the libel written by Lord Nicholson and Sir Ian Hamilton, the Army Council, as far as one of the officers of the 5th Lancers

was concerned, turned that moral wrong into a legal wrong, thereby investing the officer with a legal right. What that legal right was, was legally established by the verdict of the jury, and how the officer was by the abuse of judicial procedure deprived by the Government of that right, is here set out in this Appendix to the account of the British Dreyfus Case.

Beaten in open Court upon the facts of the case, exposed in their methods and discredited before the public in the exercise of their judicial functions, with the verdict of a High Court Judge and a Special Jury against them, the Army Council, acting on the advice of Sir John Simon, determined to appeal upon the technically legal point of privilege to a Court where they would not be hampered by the opinion of a jury.

By the Act of Settlement of 1701 it was enacted that judges could not be removed from office by the Crown except by an address from both Houses of Parliament. Let us at once disabuse ourselves of any error which may arise from obscurity of nomenclature. The Crown, as an expression meaning the King who wears the Crown, has nothing whatsoever to do with the Government of the country. The Crown is a conventional and euphemistic expression, collectively signifying the Government of the day, with its usual quota of permanent government officials.

In France, under the *Code Napoléon*, they are in some matters more honest, more thorough than ourselves. In addition to the ordinary civil law of the land to regulate the relationship between citizens of France, they have a separate branch of the law, called administrative law, to regulate the relationship between the citizens and the administrative

authorities of the Government. *Primâ facie,* we make no such distinction. In theory we place the Government official on the same footing before the law as the ordinary citizen, and in theory we hold him similarly amenable to the law for any wrong done by him. In practice this amenability is often evaded, and it is common knowledge that it is difficult to obtain a judgment against the Government. It was reliance upon a knowledge of this fact that influenced the Army Council to place the circumstances of their defeat before the Court of Appeal.

Several adjournments took place at the request of Sir John Simon, but at length in March, 1915, the Army Council's Appeal was heard before Sir Eldon Banks, Sir William Pickford, and Sir Henry Buckley, the Court sitting under the Presidency of the last named. On the 13th March, 1915, the Court delivered judgment reversing the verdict of the Special Jury and entering judgment for Sir Edward Ward, the late Secretary of the Army Council, thereby depriving me of £2000 and costs.

The Army Council's Appeal was ostensibly and solely on a technical point of the law of libel. The law of libel has undergone many statutory modifications in the course of its growth, some of the most notable being Fox's Libel Act of 1792, the Newspaper Libel Act of 1881, and the Libel Amendment Act of 1888. It has also, as part of the Common Law, suffered certain diminutions and accretions, but on the whole its position is as little obscure as any other particular branch of the law. Up to the time of the decision of the Court of Appeal in *Adam v. Ward* the question of privilege was particularly well defined. A libel is assessible in

damages whether the person libelled has suffered material damage or not, unless the defendant can establish a plea of justification or privilege. Legal privilege is of two sorts, absolute and qualified. It is with the latter only we are here concerned. Having had to acknowledge that Lord Nicholson's letter was a libel, for which they could plead neither justification nor absolute privilege, Sir John Simon and the Army Council had to fall back upon the more doubtful grounds of qualified privilege. Yet even here, as the plaintiff in the action, I stood upon firm legal ground. The law here is not obscure, as certain recognized points have long been established by prescriptive precedent. In order to successfully maintain a plea of qualified privilege the defendant in the action must be able to show that his letter was written *bonâ fide*, that it contained no defamatory statements on subjects irrelevant to the original accusation, that it was published through the same channel by which the original accusation had been made, and that its publication did not extend farther than the publication of the original accusation. The absence of any one of these conditions will rebut the defendant's plea of qualified privilege, and give the plaintiff the right to a verdict and damages. Curiously enough, not merely one, but all the conditions by which the Army Council could have substantiated their defence were absent. A perusal of the analysis of Lord Nicholson's letter, given in Chapter VII, page 122, will convince even the most incredulous that the Army Council's letter was not written *bonâ fide* nor without malice. With the exception of the very last sentence (which was unjustifiable) the subject matter of the letter was personally

defamatory and wholly irrevelant to the statement which I had made to the House of Commons. We know that with time and every opportunity at his disposal Lord Haldane deliberately refused to make use of the same channel for reply as that through which the charge had come, and we know from actual fact and from actual calculation that he gave it a publication of very far wider extent than the original charge had received.

The Court of Appeal decided the case in favour of the Army Council on the narrow legal issue of privilege, without taking into consideration the facts of the case. Yet it was the facts of the case that Sir Charles Darling had dwelt upon in his summing up, and it was the facts of the case that had secured a unanimous verdict in my favour by a Special Jury, and an almost unanimous assessment of damages at a figure approximating to the material injury done. Yet the verdict in the Court of Appeal discloses a surprising ignorance of those facts. It is unnecessary to probe this ignorance to its depth. A few instances taken at random from Sir Henry Buckley's judgment will suffice to prove the truth of the statement. He said: "So far as I can see, no imputation ever has been or is now made against the character of the Major," the truth being that to call upon an officer to resign upon a single report is under the *King's Regulations* such an imputation, and then later to publish a letter stating that he had been removed from his regiment, given another chance, and called upon to resign, without giving the public the slightest hint as to any reason for this drastic treatment is, to put it mildly, to suggest an imputation of a most serious nature. Of course at the

trial the Army Council were unable before a jury to substantiate any such imputation, but that fact only became clear three-and-a-half years after the publication of their letter, and only through my action. It is clear from his statement that Sir Henry Buckley* neither knew the facts nor had read the evidence. Again he said : " The grievance under which Major Adam has conceived himself to lie has rested principally upon a misapprehension on his part," the truth being that I was under no misapprehension, and after I had entered Parliament had no grievance till the publication of Lord Nicholson's letter gave me one. Then again Sir Henry Buckley said : " The Army Council had investigated the matter, and had found that the attack upon Major-General Scobell was wholly unjustifiable," the truth being that the Army Council have never either at that time or before or since investigated the matter. Had they done so, they would have found at once, as they did later, that my statement about General Scobell was absolutely true. Again Sir Henry Buckley said : " Major Adam's Counsel sought to find in the libel itself some untrue statement . . . . I fail to find any," the truth being that there was hardly a single statement in the whole letter which was not intended to deceive, and there were many which were actually untrue.

I was compelled to take the case to the House of Lords and in March, 1917, it was heard before Lords Findlay, Loreburn, Atkinson, Dunedin, and Shaw. Here again the verdict was given in favour of the Army Council, in spite of the facts. Sir Hugh

*Sir Henry Buckley was later created Lord Wrenbury.

Fraser, who conducted the case on my behalf, was throughout the hearing flouted by the Judges, who had evidently made up their minds before they came into Court. They were lamentably ignorant of the law of libel, as they showed by the questions which they asked Sir Hugh Fraser. One example of this will be sufficient. They asked him on the first day of the trial whether damages could be claimed under the common law unless material damage was proved to have been inflicted. That proof of material damage is immaterial, is one of the elementary axioms of the law, of which the most inexperienced law student is not ignorant.

It is unnecessary to differentiate between their Lordships' judgments which were unanimous, and which in effect abolished trial by jury and the whole law of libel. Lord Loreburn alone acknowledged that he doubted but did not dissent, which suggests that Lord Loreburn had not the courage of his convictions. Their Lordships went so far as to designate the true statement which I had made in the House of Parliament, in pursuance of my duty as a Member of that House, as a " vile slander."

Nearly two thousand years ago doubting Pilate asked " What is truth ? " and did not wait for an answer. It was reserved for the twentieth century and for the highest Appeal Court of the Empire to give that answer.

The comment of *Truth* (28th March, 1917) upon the trial was well justified. " So ends," wrote that journal, " the historical case of the five officers of the 5th Lancers, which readers of *Truth* heard so

much about eight or ten years ago, and it ends, as it began, in injustice."

* * * * * *

Can we not, as a nation, make use of this case to point a moral for us in its application to our whole system of legal institutions? Without doubt, we can. For decade after decade our legal profession has gone on ever mumbling its dusty shibboleths between its toothless gums, grasping at the shadow regardless of the substance, until Justice has had to bow before the formulas and the worn out precedents of Law, and the object of all law, namely the administration of justice, has been totally eclipsed by its formalities, and wholly forgotten by its votaries. The British Dreyfus Case is an example of the fatuity of our legal procedure. One of the questions disputed for hour after hour in the Appeal Courts by so-called learned Counsel on either side was whether a certain point should have been decided by the judge or by the jury. One Counsel argued one way, another argued the other way. The result was that after days of weary verbiage the matter remained at the end just where it had started at the beginning. Yet what did it all matter? Not a whit. The only thing that mattered was whether the decision was true and in accordance with the facts. To this point neither Counsel nor Judge gave any heed, both lending their aid to locking and double locking the closet in which poor Truth was so unwillingly confined. When are we, as a nation, going to disregard the transient and fix our eyes upon the essential?

APPENDIX II

THE POLITICAL RESULT OF THE CASE

Confound their Politics.—*God Save the King.*

HAVING in this book demonstrated what effect the action of the Army Council had upon my military career, it now remains to show what effect it had upon my political career.

A public attack upon a public man, such as the Army Council had made upon me, when Member of Parliament for an important London Constituency, could not fail to have far-reaching effects. A brief recital of the facts will make clear what these effects were.

In 1905, upon my return to England from the Russo-Japanese War, I approached the Central Organization of the Unionist Party with a view to contesting a Parliamentary seat. Several seats were discussed, but finally the Chief Agent asked me to contest Woolwich, for whom no candidate could be found. He acknowledged that it was almost a hopeless seat, as there was a majority of 3229 against the Party at the recent bye-election. I accepted the candidature and at the General Election in January, 1906, substantially improved the Party's position by some 1100 votes. For the next four years I devoted much time and money to the constituency, and at the General Election in January, 1910, won the seat for the Party, as already related.* In August came the Army

*Chapter IV, p. 64. Amongst the hundreds of congratulatory telegrams received was one which read: "My warmest congratulations on your great Victory.—ARTHUR JAMES BALFOUR."

Council's attack upon me which resulted in the loss of my seat in December.* The Party in Woolwich, however, unanimously asked me to remain as the prospective Candidate, which I promised to do. The following year the Central Organization without any intimation to me notified Woolwich that they would no longer support me. I asked the reason, and was refused an answer. I suggested a conference, and was again refused. This led to a great outcry in my Constituency and numerous letters of indignation appeared in the local Press, so much so that early in 1912, Mr. Hayes Fisher (now Lord Downham) who had taken charge of the London Party Organization, thought fit to publish much to my surprise in the Woolwich papers a letter stating that he had information which made him think that I would not win the seat again.† The letter was published without previous reference to me, and was considered unfair and defamatory. I at once wrote to Lord Downham pointing this out, and asking him to give me the mysterious information which he said he possessed. This he refused to do. Whereupon I issued a writ for libel against him. He was unable to justify his letter and put in a defence of qualified privilege, and on three occasions before the hearing, approached me asking for settlement. I would have willingly agreed for the sake of the Party, if Lord Downham had made his position clear and placed the agreement in writing. This he refused. The case was heard in the High Court, Lord Downham putting forward a clearly artificial defence. As soon as it became evident that he had nothing to allege against

*Chapter v, p. 90.

†This letter appeared two years before the result of *Adam v. Ward.*

my honour, I consented to stop the case, on the advice of my Counsel that Lord Downham would endeavour to secure my full reinstatement with the Party, which end my Counsel afterwards wrote me Lord Downham's Counsel had been unable to secure.

None of these events could, however, invalidate my promise to the electors to stand again at the next Election. For years Woolwich remained without any official Party Candidate, it being well known that I would keep my promise and stand again. Three months before the General Election in December, 1918, another candidate was suddenly put forward with the official sanction of Lord Downham.

I kept my promise to Woolwich and came forward in support of the Coalition as her Candidate for the fourth time, standing for Principle above Party and for Purity of Public Life. During the Election the Official Organization of the Unionist Party (the National Union) published in the Woolwich Press a defamatory attack upon me. It was poor gratitude for my thirteen years of faithful and loyal active political service to the Party. The official party in the Constituency was led by a local Chairman whose interests were served by obedience to the Central Organization. My staunchest personal and political friends in Woolwich were compelled to vote against me, with the result that a solicitor was returned to represent this great military Constituency. This is a simple recital, the lesson of which he who runs may read.

APPENDIX III

WHO'S WHO

IN

THE BRITISH DREYFUS CASE

ADAM, MAJOR W. A., 5th (Royal Irish) Lancers (ret.):
M.P. for Woolwich, 1910.

ALLENBY, FIELD MARSHAL, VISCOUNT:
Commanded 5th Lancers, 1902-1905; Corps Commander in 1915.

ARTHUR, SIR GEORGE, BART.:
Private Secretary to Earl Kitchener, 1914.

ASQUITH, RT. HON. HERBERT, M.P.:
Prime Minister, 1908-1916; Secretary of State for War, 1914.

ATHOLL, DUKE OF (as Marquess of Tullibardine):
M.P. for West Perthshire in 1910.

ATKINSON, LORD:
Lord of Appeal in 1917.

BALCARRES, LORD: (*see* Crawford).

BALFOUR, RT. HON. ARTHUR JAMES:
Leader of the Opposition in 1910.

BANKS, SIR J. ELDON:
Lord Justice of Appeal in 1915.

BARNES, RT. HON. GEORGE, M.P.:
Cabinet Minister in 1917 and 1918.

BRADE, SIR REGINALD:
Secretary to the War Office in 1914.

BUCKLEY, SIR HENRY: (*see* Wrenbury).

BUCKMASTER, LORD (as Sir Stanley Buckmaster):
Solicitor General in 1914-1915.
In receipt of Pension of £5000 a year.

BUCKNILL, SIR THOMAS:
Late Judge of the High Court of King's Bench.

BYNG, GENERAL, THE HON. LORD:
Commanded 1st Cavalry Brigade at Aldershot in 1907.

CALLWELL, MAJOR-GENERAL SIR CHARLES:
Director of Military Operations in 1914.

CAMBRIDGE, MARQUESS OF (as Duke of Teck):
Assistant Military Secretary at War Office, 1915.

CAMPBELL, LIEUT.-GENERAL SIR PITCAIRN:
G.O.C.-in-C. Southern Command in 1915.

CARSON, RT. HON. SIR EDWARD, M.P.:
Cabinet Minister in 1917 and 1918.

CASTLEREAGH, LORD: (*see* Londonderry).

CECIL, RT. HON. LORD HUGH:
M.P. for Oxford University in 1910.

CHURCHILL, RT. HON. WINSTON:
Secretary of State for War in 1919.

CODRINGTON, LIEUT.-GENERAL SIR ALFRED:
Military Secretary in 1914.

CONNAUGHT, H.R.H. THE DUKE OF:
Inspector General of the Forces in 1907.

COOKE, MAJOR-GENERAL THOMAS, 17th Lancers:
Colonel-in-Chief of 5th Lancers, 1905-08. Died 1912.

CRAWFORD, EARL OF (as Lord Balcarres):
M.P. for Chorley Division in 1910.

CURZON, EARL:
Cabinet Minister in 1917 and 1918.

DARLING, SIR CHARLES:
Judge of the High Court of King's Bench in 1914.

DAVIES, LIEUT.-GENERAL SIR FRANCIS:
Director of Staff Duties in 1914. Military Secretary 1916-1918.

DERBY, EARL OF:
Secretary of State for War in 1916 and 1917.

DOUGLAS, LIEUT.-GENERAL SIR CHARLES:
Adjutant General and Second Military Member of the Army Council in 1906; Chief of the Imperial General Staff and First Military Member of the Army Council in 1914. Died 26th October, 1914.

DOWNHAM, LORD:
In charge of Unionist Organization for the County of London since 1911.

DUKE, SIR EDWARD, K.C., M.P.:
Leading Counsel for Plaintiff in *Adam v. Ward*, 1914-15.

DUNEDIN, LORD:
Lord of Appeal in 1917.

EWART, LIEUT.-GENERAL SIR SPENCER:
Director of Military Operations, 1906-1910; Adjutant General 1910-1914; C.-in-C. Scottish Command, 1914-1915.

FEVERSHAM, EARL OF (as Viscount Helmsley):
M.P. for Thirsk Division of Yorkshire in 1910.

FINDLAY, LORD:
Lord Chancellor of England in 1917.

FISHER, RT. HON. W. HAYES: (*see* Downham).

FRANKLYN, LIEUT.-GENERAL SIR WILLIAM:
Military Secretary 1912-1914. Died in October, 1914.

FRASER, SIR HUGH:
Counsel for Plaintiff in *Adam v. Ward*, 1914, 1915, 1917.

FRENCH, FIELD-MARSHAL, VISCOUNT:
Commanded at Aldershot, 1904-1907; Chief of the Imperial General Staff and First Military Member of the Army Council in 1914; commanded Home Army in 1916.

GEORGE, RT. HON. DAVID LLOYD, M.P.:
Prime Minister in 1917 and 1918; Secretary of State for War in 1916.

GOUGH, LIEUT.-GENERAL SIR HUBERT:
Army Commander in 1915.

GRAHAM, COLONEL:
Commanded 5th (Royal Irish) Lancers, 1905-1908.

HADDON, MAJOR-GENERAL SIR CHARLES:
Master General of the Ordnance and Fourth Military Member of the Army Council in 1907 and 1910.

HALDANE, LIEUT.-GENERAL SIR J. A. L.:
Staff Officer to Sir William Nicholson in Japan in 1904.

HALDANE, VISCOUNT (as Mr Haldane):
Secretary of State for War, 1906-1912. In receipt of Pension of £5,000 a year.

HAMILTON, GENERAL SIR IAN:
Adjutant General and Second Military Member of the Army Council in 1910.

HELMSLEY, VISCOUNT: (*see* Feversham).

HENDERSON, RT. HON. ARTHUR, M.P.:
Cabinet Minister in 1917.

HOOD, SIR ALEXANDER ACLAND, BART, M.P.: (*see* St. Audries).

HUME, COLONEL CHARLES:
Military Attaché in Japan in 1904-1905.

HUNTER, LIEUT.-GENERAL SIR ARCHIBALD:
Commanded at Aldershot in 1914, 1915.

KITCHENER, EARL:
Secretary of State for War in 1914-1916.

LAMBTON, MAJOR-GENERAL HON. WILLIAM:
Military Secretary to British Expeditionary Force in 1914.

LAW, RT. HON. BONAR, M.P.:
Cabinet Minister in 1917 and 1918.

LEE, LORD (as Colonel Sir Arthur Lee):
Military Secretary to Secretary of State for War in 1916.

LEETHAM, SIR ARTHUR:
At War Office in 1914.

LONDONDERRY, MARQUESS OF (as Viscount Castlereagh):
M.P. for Maidstone in 1910.

LONG, RT. HON. WALTER:
M.P. for the City of London in 1910.

LOREBURN, LORD:
Lord of Appeal in 1917.

LYTTELTON, GENERAL HON. SIR NEVILLE:
Chief of the General Staff and First Military Member of the Army Council, 1904-1908; Governor of Chelsea Hospital, 1915.

M . . . . , CAPTAIN AND ADJUTANT, 5th Lancers.

MACDONALD, HIS EXCELLENCY COLONEL SIR CLAUDE:
H.B.M. Ambassador to Japan in 1904-1905. Died 1915.

MACDONOGH, SIR GEORGE:
Intelligence Staff at the War Office in 1914; Chief of Intelligence, B.E.F., in 1915; Adjutant General and Second Military Member of the Army Council in 1918 and 1919.

MACNAUGHTON, GEORGE W. F.: M.D., M.R.C.P.

MACREADY, LIEUT.-GENERAL SIR NEVIL:
Director of Personal Services at War Office in 1911-1912: Adjutant General and Second Military Member of the Army Council, 1916-1918.

MILES, SIR HERBERT:
Quarter Master General and Third Military Member of the Army Council in 1910.

MILNER, VISCOUNT:
Cabinet Minister in 1917 and 1918; Secretary of State for War, 1918.

MORTIMER, J. D. E.: M.B. (LOND.)., F.R.C.S.

MURRAY, GENERAL SIR ARCHIBALD:
Chief Staff Officer at Aldershot in 1906; Deputy Chief of the Imperial General Staff in 1915; Chief of the Imperial General Staff and First Military Member of the Army Council in 1915.

MURRAY, LIEUT.-GENERAL SIR JAMES WOLFE:
Fourth Military Member of the Army Council in 1906; Chief of the Imperial General Staff and First Military Member of the Army Council in 1915.

NICHOLSON, FIELD MARSHAL LORD (as Sir William Nicholson):
Third Military Member of the Army Council, 18th December, 1905; Chief of the General Staff and First Military Member of the Army Council, 2nd April, 1908; Chief of the Imperial General Staff and First Military Member of the Army Council, 24th November, 1909. Died, 1919.

PAGET, LIEUT.-GENERAL SIR ARTHUR:
C.-in-C. Southern Training Centre in 1915.

PICKFORD, SIR WILLIAM:
Lord Justice of Appeal in 1915.

ROBB, MAJOR GENERAL SIR FREDERICK:
Military Secretary in 1915.

ROBERTSON, GENERAL SIR WILLIAM, BART.:
Chief of the Imperial General Staff and First Military Member of the Army Council in 1916-1917.

ST. AUDRIES, LORD (as Sir Alexander Acland Hood):
M.P. in 1910.

SCLATER, LIEUT.-GENERAL SIR HENRY:
Adjutant General and Second Military Member of the Army Council in 1914-1915.

SCOBELL, MAJOR-GENERAL SIR HENRY:
Commanded 1st Cavalry Brigade at Aldershot in 1905-1907. Died in February, 1912.

SEELY, RT. HON. MAJOR-GENERAL JOHN, M.P.:
Secretary of State for War, 1912-1914. Air Minister, 1919.

SHAW, LORD:
Lord of Appeal in 1917.

SHEPPARD, CAPTAIN EDGAR, Grenadier Guards:
Private Secretary to Military Secretary in 1914.

SIMON, SIR JOHN, M.P.:
Attorney General in 1914-1915.

SMITH-DORRIEN, GENERAL SIR HORACE:
Army Commander in 1914.

TECK, DUKE OF: (*see* Cambridge).

TENNANT, RT. HON. H. J.:
Under Secretary of State for War, in 1915.

TULLIBARDINE: (*see* Atholl).

WARD, COLONEL SIR EDWARD, BART.:
Secretary to the Army Council, 1906-1914; Defendant in *Adam v. Ward.*

WATT, LIEUT.-COLONEL:
Private Secretary to Viscount French in 1911, 1912 and 1916.

WILLCOX, LIEUT.-COLONEL, 3rd Hussars:
Captain and Adjutant, 5th Lancers, in 1905-1906.

WILSON, FIELD MARSHAL SIR HENRY, BART:
Director of Military Operations in 1914; Chief of the Imperial General Staff and First Military Member of the Army Council in 1918 and 1919.

WILSON, ARTHUR STANLEY:
M.P. for Holderness Division of Yorks in 1910.

WORTHINGTON-EVANS, SIR LAMING:
M.P. for Colchester in 1910.

WRENBURY, LORD (as Sir Henry Buckley):
Lord Justice of Appeal in 1915.

WYNDHAM, RT. HON. GEORGE:
M.P. for Dover in 1910.

WYNNE, LIEUT.-GENERAL SIR ARTHUR:
Military Secretary in 1906-1907; Keeper of the Crown Jewels in 1914.

W . . . . . , CAPTAIN, 5th Lancers.

X . . . . . , CAPTAIN, 5th Lancers.

Y . . . . . , MAJOR, 5th Lancers.

Z . . . . . , MAJOR, 5th Lancers.

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